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# JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

32733

OF THE TENTH GENERAL ASSEMBLY

OF THE

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STATE OF ILLINOS,

AT

A Special Session of the General Assembly, begun and held in

the Town of Vandalia,

JULY 10, 1837.

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VANDALIA, ILL.

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JOURNAL

OF THE

**HOUSE OF REPRESENTATIVES:**

SPECIAL SESSION, 1837.

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At a second session of the General Assembly of the State of Illinois, begun and held in pursuance of the Proclamation of the Governor at Vandalia, on Monday the tenth day of July, in the year of our Lord one thousand eight hundred and thirty-seven, the following members appeared and took their seats viz:

*From the county of Pope*—Jonathan Diarman.

*From the county of Gallatin*—Daniel Wood and Joseph E. Watkins.

*From the county of Hamilton*—Milton Carpenter.

*From the county of Franklin*—Achilles D. Dollins and Dempsey Odam.

*From the county of Jackson*—John Logan.

*From the county of Washington*—John Crain.

*From the county of White*—Edwin B. Webb and John McCown.

*From the county of Edwards*—Thomas Hunt.

*From the county of Wayne*—Daniel Turney.

*From the county of Wabash*—Edward Smith.

*From the county of Lawrence*—Jesse K. Dubois and Edward J. Oneille.

*From the counties of Crawford and Jasper*—Wilson Lagow.

*From the county of Edgar*—Gideon Minor.

*From the county of Coles*—Alexander P. Dunbar.

*From the county of Clark*—William B. Marrs.

*From the county of Vermilion*—George Barnett, and George Scarborough.

*From the county of Jefferson*—Harvey T. Pace.

*From the county of Champaign*—James H. Lyons.

*From the county of Madison*—James Semple and Robert Smith.

*From the county of St. Clair*—John Stuntz and William Moore.

*From the county of Randolph*—James Shields.

*From the county of Perry*—Richard G. Murphy.

*From the county of Clinton*—Joseph Huey.

*From the county of Marion*—William Davidson.

*From the county of Bond*—Richard Bentley.

*From the county of Montgomery*—Easton Whitten.

*From the counties of Fayette and Effingham*—William J. Hankins.

*From the county of Shelby*—John S. Turley.

*From the county of Greene*—Franklin Witt, Cyrus A. Davis, and Revill W. English.

*From the county of Morgan*—Newton Cloud, Joseph Morton, John J. Hardin, Richard S. Walker, and William W. Happy.

*From the county of Sangamon*—John Dawson and William F. Elkin.

*From the county of Tazewell*—Richard N. Cullom and Robert Stuart.

*From the county of McLean*—John Moore and George Hinshaw.

*From the county of Macon*—William G. Reddick.

*From the county of Pike*—Alpheus Wheeler and Parvin Paullin.

*From the county of Schuyler*—William A. Richardson and William A. Minshall.

*From the county of Fulton*—Jonas Rawalt and Asel F. Ball.

*From the county of McDanough*—William Edmonston.

*From the counties of Warren, Knox, and Henry*—William McMurtry.

*From the county of Cook*—Albert G. Leary, James Walker, and Joseph Naper.

*From the county of La Salle*—Henry Madden.

*From the county of Iroquois*—Isaac Courtright.

*From the county of Peoria*—Francis Voris.

*From the counties of Jo Daviess, Mercer, and Rock-Island*—James Craig.



The following gentlemen appeared, presented certificates of their election, were qualified, and took their seats:

*From the county of Edgar*—Samuel Connelly.

*From the county of Coles*—J. T. Cunningham.

*From the county of Monroe*—John A. Sommerville.

*From the county of Gallatin*—Tarlton Dunn.

*From the county of Johnson*—James Copeland.

*From the county of Adams*—Archibald Williams.

*From the counties of Greene and Calhoun*—John Green.

*From the county of Sangamon*—Edward D. Baker.

*From the counties of Fayette and Effingham*—William Lee D. Ewing.

*From the county of Morgan*—John Wyatt.

JAMES SEMPLE, Esq., Speaker, and member from the county of Madison, took the chair, and called the House to order. William G. Flood, as Assistant Clerk, N. W. Nunnally, Engraving and Enrolling Clerk, and Jefferson Weatherford, Door-keeper, gave their attendance, and entered upon the discharge of their duties.

On motion of Mr. Williams,

The following resolution was unanimously adopted:

*Resolved*, That as a testimonial of respect to the memory of the Honorable GEORGE GALBREATH, late a member of this House, and Representative from the county of Adams, who died since the adjournment of the last session of the Legislature, the members of this House will wear the usual badge of mourning for thirty days.

On motion of Mr. Cloud,

*Resolved*, That the Clerk inform the Senate, that the House have met and organized, by qualifying the new members, and are ready to proceed to legislative business.

A message from the Senate by Mr. Thomas their Secretary.

Mr. SPEAKER,—

I am directed to inform the House of Representatives that the Senate have met, formed a quorum, and are now ready to proceed to legislative business.

And he withdrew.

On motion of Mr. Moore of St. Clair,

*Resolved by the House of Representatives*, (the Senate concurring herein,) That a joint select committee of both Houses be appointed to wait upon the Governor, and inform him that they are organized, and are ready to receive any communication he may wish to make.

*Ordered*, That the Clerk inform the Senate of the adoption thereof, and ask their concurrence therein.

On motion of Mr. Hardin,

The 43rd rule of the House was so amended as to read, "The standing hour of adjournment shall be 8 o'clock, A. M."

Mr. Walker of Morgan asked and obtained leave to present the poll books and return of an election held in the county of Cass for a Representative in the Legislature.

Mr. Walker moved to lay them on the table,

When,

On motion of Mr. Richardson,

They were referred to the committee on Elections.

A message from the Senate by Mr. Thomas their Secretary.

Mr. SPEAKER,—

The Senate have adopted the following resolution, viz:

*Resolved*, That a joint select committee of two from the Senate, and three from the House, be appointed to wait on the Governor, and inform him that both branches of the Legislature have met and are ready to proceed to legislative business, and to hear any communication he may think proper to make to them; and have appointed Messrs. Maxwell and Bond the committee on their part.

In the adoption of which resolution they ask the concurrence of the House of Representatives.

And he withdrew.

The question was then put upon concurring with the Senate in the adoption of said resolution, and decided in the affirmative.

*Ordered*, That Messrs. Moore of St. Clair, Ewing, and Hardin be the committee on the part of the House, and that the Clerk inform the Senate thereof.

Another message from the Senate by Mr. Thomas their Secretary.

Mr. SPEAKER,—

The Senate have adopted the following resolution, viz:

*Resolved*, That the joint rules adopted by the two Houses of the last session be and the same are hereby adopted during the present session.

And ask the concurrence of the House of Representatives therein.

And he withdrew.

On motion of Mr. Morton,

Said resolution was laid on the table.

On motion of Mr. Webb,

The said resolution, just laid on the table, was taken up for consideration, and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

On motion of Mr. Walker of Morgan,

*Resolved by the House of Representatives*, That the Editors of the "Vandalia State Register" and "Free Press" be permitted to come within the bar to report the proceedings of this body.

On motion,

The House adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. John Dougherty, Representative from Union county, appeared and took his seat.

Mr. Moore of St. Clair, from the joint select committee appointed to wait on the Governor, and inform him that both Houses of this General Assembly have organized, and ready to receive any communication he might wish to make to them, reported that they had performed the duty assigned them, and had received for answer, that he would deliver, on to-morrow, at nine o'clock, A. M., to both Houses of this General Assembly a written communication.

When,

On motion,

The House adjourned.

TUESDAY, July 11, 1837.

House met pursuant to adjournment.

The following members appeared and took their seats,  
viz:

*From the county of Vermilion*—John H. Murphy.

*From the county of Sangamon*—Ninean W. Edwards and Abraham Lincoln.

*From the county of Randolph*—Samuel G. Thompson.

*From the county Madison*—John Hogan.

*From the county of St. Clair*—Joseph Green.

Mr. Wheeler presented the petition of sundry citizens of Pike county, praying the alteration of a certain State road, and for other purposes.

The reading of which was,

On his motion,

Dispensed with, and

Referred to a select committee.

*Ordered*, That Messrs. Wheeler, Paullin, and English be that committee.

Mr. Walker of Morgan presented the petition of sundry citizens of Morgan and Sangamon counties, praying the relocation of the State road from Springfield to Beardstown.

The reading of which was,

On his motion,

Dispensed with, and

Referred to the committee on Petitions.

Mr. Murphy of Perry presented the petition of Thomas J. McDowell, otherwise "Thomas Sanders," praying that the said name of Thomas J. McDowell might be legalized, &c.;

Which was read, and

On his motion,

Referred to the committee on Petitions.

Mr. Richardson presented the petition of sundry citizens of Schuyler county, praying the passage of a law changing the name of Centreville to Ripley;

The reading of which was,

On his motion,

Dispensed with, and

Referred to a select committee.

*Ordered*, That Messrs. Richardson, Minshall, and Ball be that committee.

Mr. Reddick presented the petition of Samuel Smallwood and other citizens of Macon county, praying the right of pre-emption to certain seminary land;

The reading of which was,

On his motion,

Dispensed with, and

Referred to the committee on Education.

Mr. Richardson presented the petition of sundry citizens of Schuyler county, praying the alteration of the State road leading from Rushville to Carthage,

The reading of which was,

On his motion,

Dispensed with, and

Referred to a select committee.

*Ordered*, That Messrs. Richardson, Williams, and Edmonston be that committee.

Mr. Dollins presented the petition of sundry citizens of Franklin county, praying an appropriation for the purpose of improving the navigation of Big Muddy River,

The reading of which was,

On his motion,

Dispensed with, and

Referred to the committee on Internal Improvements.

Mr. McMurtry gave notice that he would, on Wednesday next, or some day thereafter, ask leave to introduce a bill for

“An act to legalize the location of the State road from Knoxville, in Knox county, to New-Boston, in Mercer county.”

A message from the Governor by A. P. Field, Secretary of State.

Mr. SPEAKER,—

I am directed by the Governor to lay before the House of Representatives his Message to the General Assembly of the State of Illinois, and accompanying documents.

And he withdrew.

The message just received from the Governor was read, and is as follows, viz:

EXECUTIVE DEPARTMENT, }  
Vandalia, July 11, 1837. }

*To the Senate and House of Representatives:*

GENTLEMEN:—In my message at the opening of the last session it was my happiness to congratulate you on the pros-

perity then so eminently enjoyed by every portion of our beloved country; and from my inmost heart did I rejoice to see the industrious citizen every where reap the rich rewards of his labor. And although even then, I was not without strong apprehensions of an early reverse, I am confident no human forecast could have anticipated, so sudden a calamity as has been brought upon the country by the action of the Federal Government upon its currency. At the time the President of the United States assumed the responsibility of ordering the public moneys to be removed from their legal deposit in the Bank of the United States, for the purpose, as he avowed, of preventing the re-charter of that institution by Congress, there never was a sounder currency, or a more healthy state of things in any government in the world. To effect this great object, namely, that of destroying the United States Bank, rival institutions were to be created: and it will be remembered that immediately after the removal of the deposits the Government party commenced establishing State Banks, whilst State Legislatures, deluded by the fallacious promise of advantages to be derived from the deposits to be made in these institutions, which were to be fiscal agents of Government, readily fell into the measure. As might have been expected, hundreds of new banks instantly sprung up, their enormous issues of irredeemable paper afforded the inducement of universal extravagant speculation, and gave us what all must now regard a depraved and worthless currency.

Before the public were aware of the ruin which this wild scheme portended, the Executive and a portion of its party seeing their error it would seem, endeavored to escape its consequences by amusing the people with the absurd and impracticable project of an exclusive hard money currency. I say absurd—for as well might the Executive of the United States expect to compel the citizens of the great valley to abandon the use of steam boats and resume the flat bottom and barge in the navigation of its thousand streams and rivers as to force them to give up a sound paper currency, at all times convertible into specie, with all its adaptedness to the purposes of the commerce and business of the country. Before such a scheme can be prosecuted to the results they promised, the intelligence, commerce, liberties and boundaries of all of these United States must be obliterated, and the people yield to the stubborn will and rule of a despot. These *Experiments*, as they have been styled by their authors, may and I believe have had

their *political* effect; but they have also had their effect upon the country acknowledged to be full of resources, distinguished for its intelligence, its enterprise, and wonderful prosperity, in reducing it to an almost universal bankruptcy; in prostrating alike its business, its energies, and confidence.

It was in view of the motive which dictated the measure, and in anticipation of some of these results, that I opposed at first, the establishment of the State Bank of Illinois; as I did also last winter, both the increase of its capital and that of the Bank at Shawneetown.

But it is easier sometimes, to trace the causes of evils, than to find out a remedy for them. The enquiry, however, is important and useful, as the discovery of the cause, not unfrequently suggests the remedy. That you will have it in your power, to do all demanded by the present exigency, is more than I dare hope. Probably as much as can at present be effected, will be to place our own State in such an attitude, as to parry off the blow, and stay as far as possible, the effects of the crisis upon our interests, until Congress, the only legitimate power under our Constitution, shall regulate the currency, and restore it to its former sound condition and beneficent action.

The connection of the State with the Banks of Illinois, renders an attention to its affairs, a matter of immediate and imperative duty.

By an act to increase the capital stock of certain Banks, &c. approved March 4th, 1837, it is made the duty of the Fund Commissioners, to subscribe two millions of dollars to the State Bank of Illinois, and one million to the stock of the Bank of Illinois at Shawneetown; and by the 11th section of said act, the Bank is made the fiscal agent of the State. One thousand shares of the stock of the State Bank of Illinois were subscribed for by the State, for which \$100,000 of public money was paid in *MARCH* last. The Bank took the loan negotiated last year in New York, of \$100,000, for which it agrees to place a credit in the Bank, to the Canal Fund for \$105,000, including five per cent. premium. It has also agreed to pay the State Bonds for the Wiggins' loan of \$100,000. The Auditor's books show a deposite of State funds now in the Bank of \$388,669 51. The report of the Canal Commissioner, of the 23d of May, shews a deposite of Canal funds in the Branch at Chicago, to the amount of \$285,834 89.

There is \$60,000 of the State funds now on deposite in the

Bank at Shawneetown, and the Commissioners of the School Fund, hold a draft from the Treasury of the United States on it for \$16,100, which several sums make the responsibilities of these Banks to the State, amount to \$1,055,604 40. These Banks both having stopped paying their notes in specie in May last, and as by the 25th section of the act, incorporating the State Bank of Illinois,—Approved Feb. 12th, 1835, and by the supplement to said act, Approved January 18th, 1836, it is provided, that if said corporation shall neglect or refuse to pay its notes in specie for sixty days, it forfeits its charter, and is required immediately to discontinue all its operations, except for receiving and collecting its debts; and as it is believed, that while all other Banks refuse, the Banks of no one State, however solvent, can safely or long continue to pay *specie* for their notes; it will be perceived, at once, that immediate Legislative action is indispensable for the protection and security of those important interests. In the adoption of any measure which your wisdom may suggest, in relation to the Banks, or for the better security of the interests of the State connected with them, care should be taken to require a reduction of their notes in circulation, and prevent any increase of their responsibilities, so as to ensure a resumption of specie payments as early as possible.

It can admit of no doubt, that if the Banks of Illinois, which are known to be as solvent as any other banks in the country, under existing circumstances, were to persist in paying out specie for their notes, the result would be, at no long period, an entire transfer from their own to the vaults of other Banks—the ultimate but sure loss of their capital—the imminent jeopardy of the State funds—and be so crippled, if not crushed in their operations, as to embarrass most seriously, the movements of the community at large; and not less seriously, the improvements, business, and commerce of the State, with all of which it is intimately connected.

For the same important considerations that I opposed the act, requiring the Fund Commissioners to subscribe on behalf of the State for three millions of dollars of the stock of those Banks, to be paid for by the sale of State bonds, I am now satisfied ought to be repealed forthwith, and do accordingly recommend it to be done.

Your attention should also be directed to the Surplus Revenue, the fourth instalment of which becomes due on the 30th day of September next; inasmuch as the Banks in which it



was deposited have all stopped specie payments; and your resolution requires the Treasurer to receive it only in specie, which at present is impracticable.

In the midst of the disasters which have already fallen on the commercial world, and which are still threatening us on all sides, a favorable opportunity occurs to escape from the perils of that system of Internal Improvement adopted last winter, which to my apprehension is so fraught with evil: and for the reason assigned when I refused my assent to the enactment passed in its favor, as well as from existing pecuniary troubles and derangements, I now recommend its repeal.— Aware that it is always difficult, and sometimes grievous, at least partially, to abandon even a bad system after the interests of society have become identified with it, it is with reluctance, much more in regard to this fact, than hesitation as to the propriety of the step, that I urge the recommendation: especially, too, as my conviction is deep and firm that such undertakings belong rather to arbitrary and despotic Governments, than to the republican institutions of a free people, as by the power of patronage and official influence, they tend to corrupt the many and exalt the few. In all the melancholy histories of departed liberty, the process of decay commenced in the people's neglect and disuse of their own rights and privileges, and progressed in the ignorant and fatuous transfer of them to their rulers. And of all the dark symptoms which indicate the evil at work in our own system, none seems so fearful, so alarming, as the steady, nay, rapid departure of power from the hands of the people to the hands of the Government—a fact sufficiently obvious to all who have observed the political movements of the last eight years.

If to the power and influence which necessarily belong to political station there be added the immense patronage no less involved in extended public works, there may come a struggle between the people and their rulers; but too late for the former to regain what the latter have stolen. Let the present pernicious system be rescinded, and in its stead adopt the safer, the more generous, more economical, most expeditious, and in every respect the preferable plan of encouraging private individuals and corporations by suitable aid from the State—and thus escape the intrigue, venality, waste and corruption inherent in that patronage which must grow out of such a system as the present.

A report of the Board of Internal Improvement to the Executive of the 5th June, is herewith enclosed, which exhibits its operations to date. A report and correspondence of the Canal Commissioners are also transmitted. By the correspondence, it will be seen, that the calling of the Legislature together has been urged upon the Executive by them as necessary for the carrying on of that favorite work, and because of the probable difficulty of collecting the 2nd instalment on the lots sold in Chicago, which fell due on the 20th of June last.

Having received a letter from the Board informing me they would make a full report to the Legislature of all their operations present and plans for the future, I will leave this subject with an earnest recommendation of it to your fostering care: hoping that this great work will be carried forward with all the expedition, consistent with a just economy. As I consider it a national work, and ourselves as managers of the fund, appropriated by Congress for its accomplishment, it would seem to be our duty faithfully to apply these means; and upon its completion, after a suitable reservation for repairs and improvements, and with due consideration for the rights of the State, it will be equally our duty and interest to make this canal free as the waters of the lake.

Unpleasant as the subject is to myself, and may be to others, I feel bound again to call your attention, and through you that of our constituents, to the affairs of our National Government, especially of its Executive branch; to the action of which I confidently believe many of the evils we are now suffering, and with which we are threatened, are fairly to be attributed. There must be change there must be reform. The Public Treasury must be again firmly placed in the custody of law; and all power and control over it by the Executive of the United States must be repudiated. The Executive should be prohibited under severe penalties from establishing a rule in violation of law to collect the revenue in one quarter of the country in specie only, and in another to collect in bank paper; or from using any other means for diverting the specie (which is the only safe basis of exchanges) from the ordinary channels of business. Congress must regulate the currency by law, and place it out of Executive or official power, either to try experiments, or make speculations upon it. The patronage of the Executive must be reduced, and his power to remove public officers so modified as to prevent his displacing a faithful and competent man, either to gratify party malice, or to intimidate him in the free and independent exercise of the elective franchise; so, also, as will secure him against Executive tyranny, and all control over his official acts, except such as the law imposes; that his qualifications, fidelity and ability, may be his only hope of retaining office.

That control over the public press and Congress which has been so powerfully exercised by the appointment of newspaper editors and members of the Senate and House of Representatives to high and lucrative offices by the Executive, should as far as possible be obviated. The constitutional and legal right of each or both Houses of Congress to examine into the official conduct of every officer in the Government, should be clearly established, as it is the only efficient check the people have upon their public servants; whilst public expenditures must be reduced and more economy and simplicity in the administration of Government be observed, before we can ever be secure of those ines-

timable blessings hitherto enjoyed under our constitution and excellent form of Government. I pray gentlemen, that the State may experience the full measure of your patriotism. Never was wisdom from above to direct your counsels, more to be implored than at this moment. Party spirit in its mildest form has ever been found an enemy to liberty and sound legislation: but when it is the offspring of ambition and avarice, directed by designing bad men in high places, it begets a blind devotion and infuriated zeal, which shuts the door against all reason, justice and patriotism. May God in his infinite wisdom and mercy avert such an evil from this country, and that justice and the laws may prevail, and that every man in this broad land may sit down again with confidence under the shadow of the constitution in the peaceable and quiet enjoyment of his rights and privileges. No power must be allowed to exist in this country superior to that of the people, or that does not acknowledge the supreme and inflexible authority of the law as the rule of action both for the President and every other functionary of the Government.

With great respect, your obd't servant,

JOSEPH DUNCAN.

The said documents were read in part, when,

On motion of Mr. Dubois,

The further reading of said documents was dispensed with:

Whereupon,

On motion of Mr. Stuart,

The said message and accompanying documents were laid on the table, and 5,000 copies ordered to be printed for the use of the House.

On motion of Mr. Smith of Wabash,

*Resolved*, That so much of the Governor's message as relates to the State Bank of Illinois and Bank of Illinois at Shawncetown be referred to the committee on Finance.

Mr. Speaker laid before the House the memorial of the directors of the State Bank of Illinois, praying a suspension, for a limited time, of the penalty of the forfeiture of the charter of the Bank consequent on a suspension of specie payments for more than sixty days, &c. and accompanying documents;

Which were read, and

On motion of Mr. Wyatt,

Referred to the committee on Finance.

On motion of Mr. Walker of Morgan,

*Resolved*, That so much of the Governor's message as relates to the repeal of the Internal Improvement act of last session be referred to the committee on Internal Improvement.

On motion of Mr. Hardin,

*Resolved*, That the Governor be requested to inform this House, whether he has received any information from the State Bank of Illinois, or the Bank of Illinois at Shawneetown, showing whether they have accepted the increase of stock provided for by a law of the last session, entitled "An act to increase the capital stock of certain banks, and to provide means to pay the interest on a loan authorized by 'An act to establish and maintain a general system of Internal Improvements.' "

On motion of Mr. Moore of St. Clair,

*Resolved*, That so much of the Governor's message as relates to the Illinois and Michigan Canal be referred to the committee on Roads and Canals.

Mr. Reddick gave notice that on Thursday next, or some other day thereafter, he would ask leave to introduce a bill for

"An act to locate a State road from Nelson, in Shelby county, to Leroy, in McLean county.

On motion,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Speaker appointed the standing committees of the last session the standing committees of the present session.

The following gentlemen being appointed on the committees, as follows, viz:

*On the Judiciary*—Messrs. Ewing, Baker, and Connelly.

*On Finance*—Messrs. Williams, Green of Greene, and Somerville.

*On Internal Improvements*—Mr. Dunn.

*On Education*—Mr. Ewing.

*On Petitions*—Mr. Wyatt.

*On Public Accounts and Expenditures*—Mr. Connelly.

*On Propositions and Grievances*—Mr. Cunningham.

*On the Penitentiary*—Messrs. Somerville and Copeland.

On motion of Mr. Hardin,

*Resolved*, That the Auditor and Treasurer of the State be requested to transmit to this House a statement of the condition of the Treasury of this State.

On motion of Mr. Edmonston,

*Resolved by the House of Representatives*, That the committee on Education be instructed to enquire into the expediency of distributing the school fund to the several counties in proportion to the population, to be loaned to the people at a rate of interest to be fixed by the General Assembly, and that they report by bill or otherwise.

Mr. Dawson gave notice that on to-morrow, or some day thereafter, he should ask leave to introduce a bill relative to a certain road in the county of Sangamon.

Mr. Smith of Wabash moved for adopting the following resolution, viz:

*Resolved*, That the Governor be respectfully invited to occupy a seat within the bar of the House during the present session.

Mr. Dunbar moved to amend the resolution by adding, "and also the Judges of the Supreme Court:"

When,

On motion of Mr. English,

The amendment was amended by adding, "and Senators and Representatives in Congress."

The question was then taken on the amendment as amended, and decided in the affirmative.

The resolution, as amended, was then adopted.

Mr. Hardin gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill relative to a certain road in Morgan county; also, a bill to amend the militia law of this State.

Mr. Rawalt gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill for an act to extend the time for commissioners, appointed to locate State roads, passed at the last session of the General Assembly, to report:

When,

On motion,

The House adjourned.

WEDNESDAY, July 12, 1837.

House met pursuant to adjournment.

Thomas Atwater, Representative from the county of Putnam, and John Harris, Representative from the county of Macoupin, appeared and took their seats.

Mr. Smith of Madison presented the petition of sundry citizens of Madison county, praying the location of a State road,

The reading of which was,

On his motion,

Dispensed with, and

Referred to a select committee.

*Ordered*, That Messrs. Smith of Madison, Whitten, and Reddick be that committee.

Mr. Leary presented the petition of sundry citizens of Cook county, praying that additional copies of the "Revised Laws of Illinois" be printed,

The reading of which was,

On his motion,

Dispensed with, and

Referred to the committee on Petitions.

Mr. Moore of St. Clair, from the committee on Finance to which had been referred the memorial of the Directors of the State Bank of Illinois, &c. reported a bill for

"An act concerning the State Bank of Illinois;"

Which was read, and

*Ordered* to a second reading by yeas and nays as follows, upon the call of Messrs. Bentley and Wheeler, viz:

In the affirmative,

Messrs. Baker, Ball, Barnett, Bentley, Carpenter, Copeland, Connelly, Craig, Cullom, Davidson, Dawson, Dollens, Dubois, Dunbar, Edwards, Elkin, Ewing, Hardin, Hinshaw, Hogan, Huey, Hunt, Leary, Logan, Lyons, McMurtry, Minshall, Moore of McLean, Moore of St. Clair, Naper, Odam, Oneille, Pace, Rawalt, Smith of Madison, Smith of Wabash, Somerville, Stuart, Stuntz, Thompson, Turley, Turney, Voris, Walker of Cook, Walker of Morgan, Webb, Williams, Witt, and Wyatt—49.

In the negative,

Messrs. Atwater, Cloud, Courtright, Crain, Cunningham, Davis, Diarman, Dunn, Edmonston, English, Green of Greene,

Happy, Harris, Lagow, Lincoln, McCown, Madden, Marrs, Minor, Morton, Murphy of Perry, Murphy of Vermilion, Paullin, Reddick, Richardson, Scarborough, Watkins, Wheeler, Whitten, Wood, and Mr Speaker—31.

On motion of Mr. Leary,

The rule of the House was dispensed with, and said bill was read a second time by its title, and

On the further Mr. Leary,

Said bill was laid on the table, and 250 copies ordered to be printed.

Mr. Shields, from the committee on Elections to which had been referred the poll book and return of an election for a Representative in the Legislature from the county of Cass, reported,

That the county of Cass was formed out of the county of Morgan by an act passed during the last session of the General Assembly, and organized according to the provisions of the same; that at an election held at Beardstown, in said county, on the first day of July last, Thomas Wilbourn was elected to represent said county in the Legislature of this State. By referring to the seventh section of the act above mentioned, the only section bearing directly on this subject we find the following provisions: "In case said county of Cass shall be created under the provisions of this act, then, until the next apportionment of Senators and Representatives to the General Assembly, the said county shall be entitled to one Representative to the General Assembly, and shall at the next election vote with the county of Morgan for one Senator; also, at every succeeding election for said Senator, and the county of Morgan shall be entitled to five Representatives and two Senators." By the last apportionment the county of Morgan was entitled to have six Representatives and three Senators, and it is clear that whatever disposition its citizens may choose to make of their county, and into whatever number of distinct counties they may choose to partition its territory, they cannot expect to increase their proportion of representation until the next general apportionment, whatever quantum therefore of representation is given to Cass must be deducted from Morgan. It then remained to consider, whether the new county was entitled to elect its own Representative at the time above stated, and thus supply the place of a member of the Morgan delegation who had previously resigned. The act above referred to was approved the third of March last,

and provides that Cass shall be entitled to one Representative, and shall at the next election vote with the county of Morgan for one Senator. This evidently means the next general election; that contemplated by the 2d sec. of the 2d article of our State Constitution, and could bear no reference to a special election for a specific purpose, such as that which has lately occurred in Morgan county to fill the vacancy occasioned by the resignation of one of its members, Stephen A. Douglass. This will appear still more obvious if we consider that had no vacancy occurred this question could not have arisen, and the Representative who has been elected to fill such vacancy stands upon the same ground occupied by his predecessor previous to his resignation. Besides, the members of the present delegation from the county of Morgan were not elected by the present county of Morgan, but by the counties of Morgan and Cass, and are consequently not the Representatives of the present county of Morgan, but of the present counties of Morgan and Cass; thus the citizens of the new county of Cass cannot justly complain that they are left unrepresented. Your committee, therefore, unanimously conclude that the new county of Cass is not yet entitled to a separate representative, and that the election held as above stated was wholly null and void.

They therefore ask to be discharged from the further consideration of the subject.

Which was granted.

Mr. Minshall proposed for adoption the following resolutions, viz:

*Resolved*, That so much of the Governor's message as relates to this State's proportion of the surplus revenue be referred to the committee on Finance.

On motion of Mr. Moore of St. Clair,

Said resolution was amended so as to refer to the committee of the Whole House, and made the order for this evening.

The resolution, as amended, was then adopted.

On motion of Mr. Leary,

*Resolved*, That the Secretary of State be requested to lay before this House the number of copies of the "Revised Laws of Illinois" now in the office of the Secretary of State, and what counties, if any, have not been furnished with copies of the same as required by law.

Notice was given by the following gentlemen, that they



should some day after to-morrow ask leave to introduce bills as follows, viz:

Mr. Ewing, a bill for

"An act to repeal certain laws relative to the permanent location of the seat of Government of the State of Illinois, approved February 25 and March 3, 1837."

By Mr. Edmonston, a bill for

"An act concerning the public revenue."

By Mr. Dunbar, a bill for

"An act to provide for the compensation of grand and petit jurors."

By M. Paullin, a bill for

"An act for publishing and distributing the reports of the supreme court of this State."

By Mr. Smith of Madison, a bill for

"An act giving the county commissioners' court of Madison county the power to alter certain State roads in said county."

By Mr. Happy, a bill concerning justices of the peace and constables.

By Mr. Rawalt, a bill for

"An act to incorporate the Centreville Steam Mill Company."

By Mr. Carpenter, a bill for

"An act to amend an act, entitled an act to amend an act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties."

By Mr. Lincoln, a bill for

"An act to authorize Rhoda Hart and others to sell and convey certain real estate."

By Mr. Williams, a bill

To repeal the law providing for the election of States' Attorneys by the Legislature.

By Mr. Craig, a bill for

"An act to organize the county of Whitesides, and to locate the seat of justice for said county."

By Mr. Hardin, a bill

In relation to the county of Cass.

Mr. Hogan presented the petition of sundry citizens of Madison county, praying that power may be granted the county commissioners to change and vacate certain roads,

The reading of which was,

On his motion,

Dispensed with, and  
Referred to a select committee.

*Ordered*, That Messrs. Hogan, Smith of Madison, and Bentley be that committee.

Mr. Voris presented the petition of sundry citizens of Peoria county, praying the vacation of a part of the town plat of the town Cambridge,

The reading of which was,  
On his motion,  
Dispensed with, and  
Referred to a select committee.

*Ordered*, That Messrs. Voris, Atwater, and Rawalt be that committee.

Mr. Dawson proposed for adoption the following resolution, viz:

*Resolved by the House of Representatives*, (the Senate concurring herein,) That both Houses of this General Assembly will adjourn *sine die*, on Saturday 22d instant,

When,  
On motion of Mr. Hardin,  
Said resolution was laid on the table.

Mr. Harris presented the petition of sundry citizens of Macoupin county, praying for an alteration in the corporation law of Carlinville,

The reading of which was,  
On his motion,  
Dispensed with, and  
Referred to the committee on Petitions.

Mr. Leary presented the petition of Francis G. Blanshard and others, citizens of the county of Cook, praying the vacation of a certain recorded subdivision of block No. thirty, school section, to the city of Chicago, &c.,

The reading of which was,  
On his motion,  
Dispensed with, and  
Referred to a select committee.

*Ordered*, That Messrs. Leary, Walker of Cook, and Naper be that committee.

Mr. Minor presented the petition of sundry citizens of Edgar county, praying for a change of the State road therein named,

The reading of which was,  
 On his motion,  
 Dispensed with, and  
 Referred to a select committee.  
*Ordered*, Messrs. Minor, Connelly, and Marrs be that committee.

On motion,

The House adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

The House met pursuant to adjournment.

A message from the Governor by A. P. Field, Secretary of State.

Mr. SPEAKER,—

I am directed by the Governor to lay before the House a written communication.

And he withdrew.

The said message was read, and is as follows, viz:

EXECUTIVE DEPARTMENT, }  
 Vandalia, July 12, 1837. }

*To the Honorable the Speaker*

*of the House of Representatives:*

SIR:—In obedience to a resolution of the House of Representatives of the 11th inst. calling upon the Department for information in relation to the acceptance of the State Bank of Illinois and the Bank of Illinois at Shawneetown, of the terms of the act of the last Legislature to increase the capital stock of certain banks, I have the honor to state that the State Bank of Illinois on the 7th inst. entered upon her books at Springfield the acceptance of the Board of Directors, of the provisions of the said act—and the same was transmitted and filed in the State Department on this day. No information has yet been received from the Bank of Illinois at Shawneetown relative to the course that institution will adopt,

in relation to the increase of their capital stock under the provisions of said law.

I have the honor to be, sir,

Your obedient servant,

JOSEPH DUNCAN.

On motion of Mr. Walker of Morgan,

Th said communication was laid on the table.

Mr. Cunningham proposed for adoption the following resolution:

*Resolved by the House of Representatives, (The Senate concurring herein,) That the committee on Finance be requested to enquire into the expediency of making an immediate examination into the condition and affairs of the State Bank of Illinois and Branches, and that they report as soon practicable.*

Which was not agreed to.

S. M. Bartlett, a Representative elect from the counties of Jo Davies, Rock-Island, and Mercer, appeared, presented his certificate, was qualified, and took his seat.

The House went into a committee of the Whole, according to order, upon so much of the Governor's message as relates to this State's portion of the surplus revenue of the United States,

And after some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. English reported that the committee of the Whole had had, according to order, said subject under consideration, and had directed him to ask leave to be discharged from the further consideration of the same;

Which was granted.

Mr. Lincoln presented the petition from sundry citizens of Sangamon and Cass counties, praying the location of a State road,

The reading of which was,

On his motion,

Dispensed with, and

Referred to a select committee.

*Ordered, That Messrs. Lincoln, Walker of Morgan, and Elkin be that committee.*

Mr. McMurtry asked and obtained leave to introduce a bill for

"An act legalizing the location of the State road from Knoxville to New-Boston;"

Which was read, and  
*Ordered* to a second reading.  
 On motion of Mr. McMurtry,  
 The rule of the House was dispensed with, and said bill  
 was read a second time by its title.  
*Ordered* to be engrossed for a third reading.  
 On motion,  
 The House adjourned.

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THURSDAY, July 11, 1837.

House met pursuant to adjournment.

Mr. Hardin presented the petition of sundry citizens of  
 Cass county, praying that the law creating said county be  
 amended, &c.,

The reading of which was,  
 On his motion,  
 Dispensed with, and  
 Referred to a select committee.

*Ordered*, That Messrs. Hardin, Wyatt, and Walker of Mor-  
 gan be that committee.

Mr. Wyatt presented the petition of sundry citizens of  
 Morgan county, praying the change of a certain State road, &c.

The reading of which was,  
 On his motion,  
 Dispensed with, and  
 Referred to the committee on Petitions.

Mr. Stuart, from the committee on Petitions, reported a  
 bill for

"An concerning State State road;"

Which was read, and  
*Ordered* to a second reading.

On motion of Mr. Walker of Morgan,

The rule of the House was dispensed with and said bill was  
 read a second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Wyatt, from the committee on Petitions to which had been referred a certain petition, reported a bill for

“An act to vacate part of a State road between Beardstown and Springfield;”

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Walker of Morgan,

The rule of the House was dispensed with and said bill was read the second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Richardson, from the select committee to which had been referred the petition of sundry citizens of Schuyler county for the change of the name of Centreville, reported a bill for

“An act to change the name of the town of Centreville;”

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Richardson,

The rule of the House was dispensed with and said bill was read the second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Voris, from the select committee to which was referred the petition of sundry citizens of Peoria county, praying the vacation of a town plat, &c. reported a bill for

“An act to vacate certain town plats;”

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Voris,

The rule of the House was dispensed with and said bill was read the second time by its title, and

*Ordered* to be engrossed for a third reading.

A message from the Governor by Mr. Field, Secretary of State.

Mr. SPEAKER,—

I am directed by the Governor to lay before the House a written communication.

And he withdrew.

Which was read as follows, viz:

EXECUTIVE DEPARTMENT,  
Vandalia, July 13, 1837. }

To the Honorable the Speaker of the House of Representatives:

SIR:—I have the honor to inform the House of Representa-

tives that a vacancy has occurred since the adjournment of the Legislature in the office of Circuit Judge of the first judicial circuit by the resignation of the Honorable Stephen Hogan, which has been filled temporarily by the appointment of William Brown, Esq.

I have the honor to be, sir,

Your obed<sup>t</sup> serv<sup>t</sup>,

JOSEPH DUNCAN.

On motion of Mr. Dunbar,

Said communication was laid on the table.

Mr. Reddick, agreeably to previous notice, asked and obtained leave to introduce a bill for

“An act locate a State road from Nelson, in Shelby county, to Leroy, in McLean county;”

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Reddick,

The rule of the House was dispensed with, and said bill was read a second time by its title.

*Ordered* to be engrossed for a third reading.

On motion of Mr. Minshall,

*Resolved*, That the committee on Finance be instructed to enquire into the expediency of providing by law for more effectually collecting debts due by the Bank of Illinois at Shawneetown, and that they report by bill or otherwise.

On motion of Mr. Witt,

*Resolved*, That the Secretary of the Board of Internal Improvements be directed to communicate to this House the number and names of all the clerks, engineers, agents, and other servants employed by said Board, and the salary, or per diem allowance made to each, and their duties, so far as the same may be practicable.

Mr. Happy moved to take up the resolution heretofore laid on the table having for its object the adjournment of the Legislature on the 22d inst. *sine die* for consideration.

Which was not agreed to.

Mr. Smith of Madison moved for adoption the following resolution, viz:

*Resolved*, That the committee on Education be requested to take under consideration the expediency of appointing a committee to report to the next General Assembly a general system to be adopted by this State for the support of the

common schools, and that they report to this House at its present session.

Which was not agreed to.

On motion of Mr. Pace,

*Resolved by the House of Representatives,* (the Senate concurring herein,) That both Branches of the General Assembly will meet in the Representatives' Hall on the 14th instant at 4 o'clock, P. M., for the purpose of electing a judge of the first judicial circuit to fill the vacancy occasioned by the resignation of the Hon. Stephen T. Logan.

*Ordered,* That the clerk inform the Senate of the adoption of said resolution, and ask their concurrence therein.

On motion of Mr. Atwater,

*Resolved,* That the Governor be requested to communicate to this House, whether he has recognized as a county the territory conditionally created into the county of Bureau by an act of the last session of the Legislature, and if so, the reasons which have induced that recognition.

Mr. Minor, from the select committee to which was referred the petition of sundry citizens of Edgar county for a change of a State road therein named, reported a bill for

"An act to re-locate a part of a State road in Edgar county;"

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Minor,

The rule of the House was dispensed with, and said bill was read the second time by its title, and

*Ordered* to be engrossed for a third reading.

On motion of Mr. Richardson,

The bill for

"An act concerning the State Bank of Illinois,"

Heretofore laid on the table,

Was taken up for consideration, and,

On his further motion,

Said bill was referred to the committee of the Whole House, and made the order of the day for to-morrow.

Mr. Carpenter, agreeably to previous notice, asked and obtained leave to introduce a bill for

"An act to amend an act entitled an act to amend an act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties;"

Which was read, and

*Ordered* to a second reading.



On motion of Mr. Moore of St. Clair,

The rule of the House was dispensed with, and said bill was read a second time by its title, and

On the further motion of Mr. Moore of St. Clair,

Said bill was referred to the committee on the Judiciary.

Mr. Craig gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill for

"An act to locate a State road from the town of St. Marion, in Ogle county, via Elk Horn Grove, to Savannah, in Jo Daviess county."

Mr. Hunter gave notice that on to-morrow, or some day thereafter, he should ask leave to introduce a bill for

"An act to locate a State road from Albion to H. J. Mills."

The engrossed bill, entitled

"An act legalizing the location of the State road from Knoxville to New-Boston,"

Was read the third time, and passed.

*Ordered*, That the title be as aforesaid, that the Clerk carry said bill to the Senate, and ask their concurrence in the passage thereof.

On motion of Mr. Ewing,

The vote heretofore taken on the bill for

"An act concerning the State Bank of Illinois,"

On the committee of the Whole House,

Was re-considered.

Mr. Richardson then withdrew his motion,

When

Mr. Shields moved to strike all out after the enacting clause, and insert the following as a substitute, viz:

That every provision of the act of incorporation of the State Bank of Illinois, approved 12th Feb. 1835, and of the supplement to said act approved Jan. 18th, 1836, which provides that if the said corporation shall neglect or refuse to pay its notes in specie for sixty days, it shall forfeit its charter, and shall be required immediately to discontinue all its operations excepting receiving and collecting its debts, is hereby suspended until the next general or special session of the General Assembly.

SEC. 2. The said corporation shall not directly or indirectly, divide or pay to or among its stockholders, or to any person for them, any dividends, interests or profits whatever, until it shall resume the payment of all its notes and evidences of debt in specie.

SEC. 3. The said State Bank and branches shall not, nor shall any President of said Bank or of either of its branches, nor any officer or agent or director thereof, or any other person whomsoever for said Bank, during the suspension of specie payment by the Bank, directly or indirectly, sell, dispose of or part with, in any way whatever, the specie of said Bank wherever the same may be after the passage of this act; but the same shall remain undisposed of to meet the liabilities of said Bank.

SEC. 4. The debtors of the said Bank in the curtailments of its claims, shall not be subject to be called on for a larger instalment than that of ten per centum of the amount due; and for the residue the said Bank shall grant them renewals of the securities for sixty days, subject to similar payments by instalments until the whole debt shall be thus liquidated by such instalments at sixty days.

SEC. 5. The said Bank shall not during the period of suspension of specie payment as aforesaid, increase the amount of notes and bills which may be in circulation at the passage of this act; and for any violation of the provisions of this section, the stockholders and officers of said Bank shall be liable individually and in their private capacity.

SEC. 6. After the first day of January next, the said corporation shall issue no bills or notes of a less denomination than ten dollars; and after the first day of January 1840, it shall issue no bills or notes of a less denomination than twenty dollars.

SEC. 7. Upon violation of any of the provisions of this act the said corporation shall forfeit its charter, and the better to secure the interest of the public the present Fund Commissioners are severally required whenever in their judgment it may be necessary, to make a minute and particular enquiry into the affairs and condition of the said Bank and its branches in every particular whatever, and that for such purposes they shall, at all times, have free access to the books, records, proceedings, accounts, funds, moneys, property and affairs of the said Bank and its branches. And it shall be their further duty to see that the provisions of this act are faithfully complied with on the part of the Bank, and in case of violation thereof, the said commissioners are expressly required to make and file with the Auditor of Public Accounts of this State a certificate of such violation; and are empowered and directed to proceed forthwith, to wind up the concerns of the said

Bank, by suing out a writ of injunction, a scire facias, or either or any other writ which they may deem necessary for such purpose, against the said Bank for such violation, to be prosecuted by the Attorney General, and for such purpose any of the Circuit Courts of this State is vested with full and complete jurisdiction to hear and determine the same, and to pronounce judgment of forfeiture of said charter, and to vest all the estates of the said Bank, real, personal and mixed, in the hands of said commissioners, to audit, settle and adjust the whole affairs of said Bank, and to make distribution thereof to the creditors of the said Bank, under the orders and decrees of the said Court.

SEC. 8. The said Bank shall transmit, monthly, to said commissioners, at the office of the Auditor of Public Accounts, a statement of its condition, on the oath of the President or cashier, in such form as the said commissioner shall prescribe; abstracts of which statements shall be published by the said commissioners, in the paper printed by the State printer, and in such other papers as they may elect.

SEC. 9. The said Bank shall adopt the following scale for reducing the amount of bills and notes already in circulation, to wit: in the gradual curtailment of its claims, by instalments of ten per centum, at the period of sixty days. The said Bank is hereby required to deduct from the volume of its circulation an amount equal to the amount thus collected by such periodical instalments.

SEC. 10. The said Bank shall always hold itself in readiness to honor and pay the drafts of the State, drawn upon it by the appropriate State officer, to the full amount of funds of the State, of every description, on deposit at the time, in the said Bank and its branches, and for this purpose it shall be empowered if necessary, to increase its circulation to an amount sufficient to pay the said drafts.

SEC. 11. The said Bank shall be entitled to the benefit of all the provisions of this act if, within twenty days from the passage thereof, it accept the same, and file such acceptance in the office of the Secretary of State,

This act to be in force, from and after its passage.

Mr. Richardson moved to refer the bill and proposed amendment to the Committee of the Whole House, and make it the order of the day for to-morrow.

Which was not agreed to.

On motion of Mr. Murphy of Vermilion,

Said bill and proposed amendment were laid upon the ta-

ble, and 150 copies of said amendment ordered to be printed.

Mr. Dawson, agreeably to previous notice given,

Asked and obtained leave to introduce a bill for

“An act to re-establish a certain State road therein named.”

Which was read, and

On motion of Mr. Dawson,

The rule of the House was dispensed with,

And said bill was read the second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Webb presented the petition of sundry citizens of White county, praying the privilege of erecting a mill dam across Seven Mile creek,

The reading of which was,

On his motion,

Dispensed with, and

Referred to the select committee on Petitions.

Mr. Cullom gave notice that on Monday next he should ask leave to introduce a bill for

“An act in relation to state and county roads.”

Mr. Walker of Cook, gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill for an “act to legalise the acts of the Circuit Courts held in the counties of Will and Kane last June.

On motion,

The House adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

The House met pursuant to adjournment.

A message from the Governor, by Mr. Field, Secretary of State:

MR. SPEAKER,—

I am directed by the Governor to lay before the House a written communication and accompanying documents.

The communication was read as follows:

EXECUTIVE DEPARTMENT, }

Vandalia, July 13th, 1837. }

To the Honorable the Speaker of the House of Representatives:

SIR—I herewith enclose two letters, one from Benjamin S.

Enloe, Warden; and the other from the Inspectors of the Penitentiary, concerning the official conduct of the former.

I consider it also my duty to inform the legislature that said Enloe was elected Warden of the Penitentiary on the 16th day of January, was commissioned on the 4th day of February, and on the 4th day of March his salary was increased from 6 to 8 hundred dollars per annum, which in my opinion was a violation of the 19th section of the 2d article of the Constitution, which provides that "no Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office in this State, which shall have been increased during such time." The Judge of the 5th Judicial Circuit was also a member of the Legislature at the time of his election to that office, and as his salary was increased in violation of the above recited article of the Constitution, I present his also, as one worthy of your consideration.

I have the honor to be, Sir, Your obedient servant,  
JOSEPH DUNCAN.

The documents were also read; whereupon,

On motion of Mr. Ewing,

So much of said communication, &c., as relates to a violation of the Constitution, be referred to the Committee on the Judiciary; and on motion of Mr. Elkin,

So much of it as relates to the Penitentiary was referred to the Committee on the Penitentiary.

Mr. Speaker laid before the House the following communication from the Auditor of Public Accounts, viz:

STATE OF ILLINOIS AUDITOR'S OFFICE, }  
VANDALIA, July 12th, 1837. }

*To the Honorable the Speaker of the House of Representatives:*

SIR: In compliance with the resolution of the House of Representatives, requesting the Auditor to "transmit to the House a statement of the condition of the Treasury of this State," I have the honor to submit the following report, showing the amount of receipts into the Treasury, from the 3d day of December, 1836, to the 30th day of June, 1837, inclusive, and the expenditures on the part of the State during the same period; also, a statement of the account of the State Bank with the State of Illinois, since she became the fiscal agent of the State, up to the said 30th day of June; together with a statement of the present situation of the School Fund.

I have the honor to be, Sir, your obd't Servant,

LEVI DAVIS, *Aud. Pub. Accts.*

DR.

CHARLES GREGORY, *State Treasurer, in*

For amount remaining in the Treasury, on the 3d day of December, 1836, - - -	85,140 37
For amount received from nonresidents, from 3d December, 1836, to 16th April, 1837, -	256 63
For amount received from Sheriffs, during same period, - - -	2,662 08
For amount received from Revenue Clerks, -	34,607 55
For amount received from State Bank of Illi- nois, being the amount of interest which ac- crued on the Wiggins loan, from the passage of the act authorizing the Bank to redeem said loan, up to 1st July, 1836, - - -	2,766 70
For amount received from State Bank of Illi- nois, being the bonus due from said Bank, on the 1st day of January, 1837, - - -	7,017 75
For amount received for debts due the old State Bank and branches, - - -	333 00
For amount received from the Commissioners of the School Fund, - - -	116,750 00
For amount received from Trustees of James Hall, former Treasurer, - - -	1,038 96
For amount received from Commissioner of sales of Gallatin Saline Lands, - - -	79 40
For amount received from sale of materials of old State House, - - -	19 57
For amount of redemption money received, -	226 46
For amount of Surplus Revenue received from the United States, - - -	239,306 33
	<hr/> \$490,204 85

account with *THE STATE OF ILLINOIS.*

CR.

By amount of Warrants paid at the Treasury, from 3d December, 1836, to 16th April, 1837, - - - - -	211,034 48
By amount of State paper burned during same period, - - - - -	106 00
By amount deposited in State Bank of Illinois,	277,218 31
By amount of Funded Stock redeemed, -	767 52
By amount of interest allowed on State paper received for Taxes, - - - - -	40 80
By amount of Tax refunded on land redeemed,	30 08
By amount of money refunded - - - - -	33 47
By amount of Redemption money paid out -	57 70
By amount retained by Treasurer for his ser- vices and expenses in collecting first instal- ment of Surplus Revenue - - - - -	807 00
By amount to Balance - - - - -	109 49

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\$490,204 85

Dr.

*JOHN D. WHITESIDE, State Treasurer, in*

For amount received of Charles Gregory, late Treasurer, being the balance in his hands on the 16th day of April, 1837 - -	109 49
For amount received from non-residents from 16th April to 30th June, 1837 - -	1150 57
For amount received from Sheriffs during same period - - - - -	1780 69
For amount received from the Revenue clerks	2237 27
For amount received from the Commissioners of the School Fund - - - - -	1100 00
For amount received from the State Bank, be- ing the dividend due the State on \$100,000 stock subscribed by State - - -	2500 00
For amount of redemption money received -	629 61
For amount of Surplus Revenue received from United States - - - - -	238,612 76
	<hr/>
	248,120 39
Amount from foregoing page - -	490,204 85
	<hr/>
Total,	\$738,325 24



account with *THE STATE BANK OF ILLINOIS,*

By amount deposited in the State Bank of Illinois, from 16th April to 30th June, 1837	-	187,869 75
By amount deposited in the Bank at Shawnee-town	- - - - -	60,000 00
By amount of State paper burned	- -	150 00
By amount of interest allowed on State paper received for taxes	- - -	8 49
By amount to Balance (this balance has been deposited in Bank by the Treasurer)	-	92 15
		<hr/>
		\$248,120 39
Amount from foregoing page	- -	490,204 85
		<hr/>
		\$738,325 24

Dr.

*The STATE BANK OF ILLINOIS in*

For amount deposited in the State Bank, up to 30th June, 1837 - - -	\$365,781 68
For amount due on settlement on the 30th day of June, 1837 - - -	\$289,669 51
To this sum add the amount of Surplus Reve- nue deposited in the Bank on the 29th day of June, but which was not taken into the fore- going account, the certificate of Deposit not having been received in time - -	99,306 38
Amount due the State on 30th day of June, 1837 - - -	\$388,975 89

## REDEMPTION

Amount of redemption money in the Treasu- ry on the 1st December 1836, - -	873 67
Amount of redemption money received from 1st Dec. 1836, to 30th June 1837, - -	856 07
	\$1729 74
Balance of redemption money in the Treasury on the 30th June 1837, - - -	\$1647 92

account with *THE STATE OF ILLINOIS*,

CR.

By amount of warrants paid up to 30th June 1837,	-	-	-	-	\$76,112 17
By amount to balance,	-	-	-	-	289,669 51
					<u>\$365,781 68</u>

## ACCOUNT.

Amount of redemption money paid out from 1st Dec. 1836, to 30th June 1837,	-	-	-	-	81 82
Amount to balance,	-	-	-	-	1647 92
					<u>\$1729 74</u>

*Amount of Warrants issued from the 3d day of December, 1836, to 30th June, 1837, for the current expenses of the State, and charged to the following accounts, to wit:*

On what account drawn.	Amount.
Special appropriations, - -	\$10,597 21
Interest on school, college, and seminary funds	14,085 53
Circuit attorneys - - -	926 73
The General Assembly - -	60,975 15
Money refunded - - -	110 21
The Judiciary, - - -	6,134 63
The Secretary of State, - -	1,625 00
The Militia, - - -	665 00
Incidental expenses, - - -	1,045 25
The Attorney General, - -	366 29
The Penitentiary Inspectors, - -	200 00
The Auditor of Public Accounts, -	1,400 00
The Treasurer, - - -	1,065 24
The Contingent Fund, - - -	1,037 52
Warden of the Penitentiary, - -	483 33
Appropriations to counties, - -	5,341 39
The Governor, - - -	650 68
Public Printing, (bills, reports, laws and journals and paper for same session 1836, '37.)	11,652 28
State Bank Stock, - - -	100,000 00
Counties on the Military Tract, -	2,800 00
Appropriation for killing wolves, -	13 00
Appropriation for State House, Vandalia,	10,268 82
Appropriation for State House, Springfield,	12,000 00
Board of Fund Commissioners, -	50,000 00
Interest on State Paper Stock redeemed,	55 42
Appropriations for Roads, - -	780 00
Appropriations out of Canal Fund, -	661 00
Distributing Laws and Journals, -	150 00
Total Amount,	\$295,089 68

Amount due the State from the Bank on the 30th June, 1837, . . . . .		\$338,975 89
From this sum deduct amount of outstanding warrants against the Treasury, . . . . .	\$721 42	
Amount of outstanding warrants against the Bank, . . . . .	8,086 79	
		8,808 21
Balance in favor of the Treasury on the 30th June, 1837, . . . . .		\$380,167 68

The amount of \$388,975 89 due the State from the Bank from the 30th day of June, consists of \$367,719 14 of surplus revenue received from the United States, and \$21,056 75 derived from ordinary sources of revenue. Three instalments of surplus revenue, amounting to the sum of \$447,919 14, have been received and deposited by the Treasurer in conformity with the law. The sum of \$60,000 has been deposited in the Bank at Shawneetown, and the remainder in the State Bank of Illinois. Of the amount deposited in the last named Bank, the sum of \$50,000 has been drawn out by the Board of Fund Commissioners.

*The following is a Statement of the present condition of the School, College, and Seminary funds.*

Amount due the school fund on Jan. 1st, 1837, -	\$159,031 75	
Amount received and loaned to State 6th, 1837, -	72,875	
Amount do. do. Feb. 27, 1837, -	6,666	
Amount do. do. March 20, " -	17,745 00	
Amount do. do. April 21, " -	916 66	
		\$257,235 07
Amount due the college fund on Jan. 1st, 1837, -	\$31,804 33	
Amount received and loaned to State, Jan. 6th. 1837, -	14,575 00	
Amount received and loaned to State, Feb. 27th, 1837, -	1,333 33	
Amount received and loaned to State, March 20th, 1837, -	3,555 00	
Amount received and loaned to State, April 21st, 1837, -	183 33	
		51,456 99
Amount seminary fund, -	-	49,306 25
Add amount of warrant for 3 per cent. fund now in the hands of the commissioners of the school fund, -	-	16,100 00
Total amount due school, college, and seminary funds proper, -	-	\$374,092 31
<p>In conformity with what I conceive to be the proper construction of the acts, entitled "An act to establish and maintain a general system of Internal Improvements," and "An act to amend the several acts in relation to common schools," I have added to the school fund \$335,592 32 of the surplus revenue, being the amount which the state owed the School, College, and</p>		

## [STATEMENTS CONTINUED.]

Seminary Funds at the time the said laws were passed. This amount was added and bears interest from the following dates, viz:

Amount loaned on the 25th March, 1837, - - -	\$239,306 38	
Amount loaned on the 2d May, 1837, - - -	79,306 38	
Amount loaned on the 29th Jan. 1837, - - -	16,979 56	
		335,592 32
Total amount		\$709,684 63

*A Statement of the amount drawn from the Treasury on account of the Contingent Fund from the 3rd day of December, 1836, to the 30th of June 1837, inclusive.*

Date.	Warrants.	Amount.
1837 Jan. 3	To warrants to Basil B. Craig in full for his services in going to the Governor of Louisiana to demand a fugitive from justice, - - -	75 00
Jan. 30	To warrants to James M. Duncan, clerk of the supreme court, in full for his bill of costs in two causes against Jas. Hall, former Treasurer, -	25 65
Feb. 7	To warrants to Wm. H. Coyle in full for advertising Governor's Proclamation for election of Maj. General, and for convening the Legislature, -	4 50

## [STATEMENTS CONTINUED.]

Date.	Warrants.	Amount.
1837		
March 4	To warrants to Joseph Hays, commissioner of sales of Galatin Saline Lands in full for making a Report to the Auditor of the lands sold by T. D. Huett, former commissioner,	\$20 00
March 6	To warrants to Wm. E. Woodruff in full for advertising Governor's Proclamation for the apprehension of Wm. Copland and other fugitives from justice,	31 87
April 13	To warrants to B. W. Thompson in full for collecting Revised Laws of 1833,	125 00
May 3	To warrants to J. C. Bruner in full for an allowance made him by the Governor out of the Contingent fund,	20 00
May 5	To warrants to John F. Maddox in part for plastering rooms in State House for public offices,	200 00
May 22	To warrants to Harrison Thompson in full for 8,000 laths furnished by him for the lower rooms of the State House,	24 00
May 25	To warrants to Thomas O. Davis in full for publishing Governor's Proclamation, and an act concerning trespasses on canal lands,	36 00
May 25	To warrants to J. Wentworth in full for publishing Governor's Proclamation, and an act concerning trespasses on canal lands,	36 00
May 25	To warrants to H. Warren in full for publishing Governor's Proclamation, and an act concerning trespasses on canal lands,	36 00
May 29	To warrants to Hodge & Shrader in full for publishing Governor's Proclamation declaring who elected members of Congress; who presidential electors;	



## [STATEMENTS CONTINUED.]

Date.	Warrants.	Amount.
	offering a reward for Wm. Copland, a fugitive from justice; Proclamation and act concerning trespasses on canal lands; publishing supplement to revenue law and printing 3 quires of circular letters, - - -	\$55 50
June 19	To warrants to Henry Snyder in full for work done for Secretary's office,	22 00
June 24	To warrants to Nelson Rial in full for his services as an express to the counties of Gallatin and Johnson with writs of election, - -	40 00
June 26	To warrants to James M. Morse in full for his services as a messenger to the Governor of Missouri to demand a fugitive from justice, - -	150 00
June 26	To warrants to A. J. Guykowski in full for his services as an express to the counties of Effingham, Coles and Edgar with writs of election, -	36 00
June 26	To warrants to D. B. Hodge in full for his services as an express to the counties of Sangamon, Morgan, Cass and Adams, with writs of election,	60 00
June 26	To warrants to B. W. Thompson in full for his services as an express to the counties of Green and Calhoun with writs of election, - -	40 00
		<u>\$1037 52</u>

STATE OF ILLINOIS, AUDITOR'S OFFICE, }  
 Vandalia, July 12th, 1837. }

LEVI DAVIS, *Aud. Pub. Acc'ts.*

Which was read.

Mr. Elkin moved to lay the communication on the table, when

On motion of Mr. Dollins,

Said communication was laid on the table and 500 copies ordered to be printed for the use of the House.

Mr. Speaker also laid before the House the following communication from the Treasurer of the State, viz:

*To the Speaker of the House of Representatives:*

SIR—In compliance with a resolution of the House of Representatives requiring the "Treasurer to transmit a statement of the condition of the treasury," I have the honor to submit the following report, shewing the amount received from the 3d day of December 1836, to the 30th day of June, 1837, inclusive. Also the amount of Warrants paid by the Treasurer, and the amount deposited in bank, State paper burned, &c., all of which is respectfully submitted.

I have the honor to be, sir,

Your obedient servant,

JOHN D. WHITESIDE,

*Treasurer.*

*REPORT of receipts, payments, and deposits, at the Treasury, from 3d day of Dec. 1836, to the 30th day of June, 1837, inclusive.*

DR.

Date.	Amount of receipts.
January . . .	100,827 40
February . . .	8,262 93
March . . . .	294,019 22
April . . . .	4,107 23
May . . . .	82,172 95
June . . . .	163,795 14
To this amount add the balance in the Treasury on the 3d day of Dec. 1836.	653,184 87
	85,140 37
Note—There was no receipts from the 3d to the 31st December, 1836.	738,325 24

CR.

By amount of paid at the Treasury, monies deposited &amp;c. (By C. Gregory.)

December, (from 3d to 31st inclusive, no payments made,)		
January - - - -	299,32 54	
February, (no payments)		
March - - - -	180,697 58	
April - - - -	404 36	
Certificates of deposite in bank,		211,034 48
State paper burned - -		277,218 31
Interest on State paper		106 00
Funded stock redeemed		40 80
Tax refunded on land redeemed		767 52
Money refunded		30 08
Redemption money paid out		33 47
Retained for transportation of first instalment of U. S. surplus revenue		57 70
		807 00
Amount to balance paid over to J. D. Whiteside		490,095 36
Amount of certificates of deposite in State Bank by J. D. Whiteside		109 49
	186,869 75	490,204 85
Of certificate of deposite in Bank of Illinois at Shawneetown	60,000 00	
Old State paper burned	150 00	
Of interest on State paper	8 49	
Of money received in June and deposited in July	92 15	
		248,120 39
		738,325 24

STATE OF ILLINOIS. TREASURER'S OFFICE, }  
Vandalia, July 12, 1837. }  
JOHN D. WHITESIDE,  
Treasurer.

The reading of which was  
 On motion of Mr. Hardin,  
 Dispensed with,  
 Laid upon the table, and 500 copies ordered to be printed  
 for the use of the House.

Mr. Ewing agreeably to previous notice given,  
 Asked and obtained leave to introduce a bill for

"An act to repeal certain laws relative to the permanent location of the Seat of Government of the State of Illinois, approved February 25th, and March 2nd, 1837, and for other purposes."

Which was read, and  
*Ordered* to a second reading.

On motion of Mr. Wyatt,  
 The rule of the House was dispensed with,  
 And said bill was read a second time by its title,  
 Mr. Wyatt moved said bill be laid on the table, and 150  
 copies to be printed for the use of the House.

Mr. Dubois called for a division of the question so as to take  
 the question on laying on the table first.

The question was taken on laying said bill on the table,  
 And decided in the affirmative.

The question was then taken on printing 150 copies,  
 And also decided in the affirmative.

Mr. Hardin from the Select Committee to which had been  
 referred the petition of sundry citizens of Cass county, reported  
 a bill for

"An act in relation to the county of Cass."

Which was read, and  
*Ordered* to a second reading.

On motion of Mr. Minshall,  
 The rule of the House was dispensed with,  
 And said bill was read a second time by its title, and  
*Ordered* to be engrossed for a 3d reading.

Mr. Leary from the Select Committee to which had been  
 referred the petition of Francis G. Blanchard and others, citizens  
 of the city of Chicago, and Cook county, reported a bill  
 for "An act for the purposes therein named;"

Which was read, and  
*Ordered* to a 2d reading.

On motion of Mr. Leary,  
 The rule of the House was dispensed with,  
 And said bill was read a second time by its title, and  
*Ordered* to be engrossed for a 3d reading.

Mr. Richardson from the Select Committee to which was referred the petition of sundry citizens of Schuyler county for the change of a State road, reported a bill for

"An act to change a State road leading from Rushville to Carthage,"

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Richardson,

The rule of the House was dispensed with,

And said bill was read the second time by its title, and

*Ordered* to be engrossed for a 3d reading.

Mr. Lincoln from the Select Committee to which was referred the petition of Sundry citizens of Sangamon and Cass counties, reported a bill for

"An act to establish a State road from Beardstown, in Cass county, to Petersburg, in Sangamon county;"

Which was read, and

*Ordered* to a 2d reading.

On motion of Mr. Lincoln,

The rule of the House was dispensed with,

And said bill was read the second time by its title, and

*Ordered* to be engrossed for a 3d reading.

Mr. Wyatt from the Committee on Petitions, to which was referred the petition of Thomas C. Sanders &c., reported a bill for "An act to change the names of Thomas Jefferson Sanders and Francis Hooks;"

Which was read, and

On motion of Mr. Murphy of Perry,

The rule of the House was dispensed with,

And said bill was read the second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Moore of McLean, gave notice that on Saturday next or some day thereafter, he should ask leave to introduce a bill for a state road in McLean county, also a bill for

"An act" to amend an act entitled

"An act concerning public roads."

Mr. Williams agreeably to notice given,

Asked and obtained leave to introduce a bill for

"An act relating to State's attorney,"

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Murphy of Vermilion,

The rule of the House was dispensed with,

And said bill was read the second time by its title, and  
On motion of Mr. Pace,

Said bill was referred to the Committee on the Judiciary.

Mr. Wyatt from the Committee on Petitions to which was referred the petition of sundry citizens of Macoupin county for the alteration of the corporation law of Carlinville, reported a bill for

“An act to amend an act entitled an act to incorporate the town of Carlinville, approved March 4th, 1837.

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Harris,

The rule of the House was dispensed with,

And said bill was read the second time by its title, and

*Ordered* to be engrossed for a third reading,

And then

The House adjourned.

FRIDAY, July 14th, 1837.

House met pursuant to adjournment.

A message from the Senate by Mr. Thomas their Secretary.

Mr. SPEAKER,—

The Senate have passed a bill, entitled

“An act concerning public roads.”

In the passage of which bill they ask the concurrence of the House of Representatives.

And he withdrew.

A message from the Governor by A. P. Field, Secretary of State.

Mr. SPEAKER,—

I am directed by the Governor to lay before the House a written communication.

And he withdrew.

Mr. Moore of St. Clair, from the committee on Finance, reported a bill for

"An act supplementary to an act making appropriations for the years 1837 and 1838;"

Which was read, and

*Ordered* to a second reading.

Mr. Wyatt, from the committee on Petitions to which was referred the petition of sundry citizens of Cook county, in relation to the revised laws of this State, reported unfavorably on the prayer of the petitioners, and asked to be discharged from the further consideration of the subject;

Which was granted.

Mr. Naper, from the committee on Internal Improvements, reported a bill for

"An act to amend an act to incorporate the Chicago and Fox river Turnpike road company, approved March 1, 1837;"

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Naper,

Said bill was read the second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Stuart, from the committee on Petitions, reported a bill for

"An act concerning the town of Cincinnati, in the county of Tazewell;"

Which was read, and

*Ordered* to second reading.

On motion of Mr. Stuart,

The rule of the House was dispensed with, and said bill was read the second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Witt, from the committee on Roads and Canals, reported a bill for

"An act concerning Calvin's Slough;"

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Witt,

The rule of the House was dispensed with, and

Said bill was read a second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Wyatt, from the committee on Petitions to which had been referred the petition of sundry citizens of Morgan county for the change of a certain State road, reported a bill for

"An act changing a part of the State road, running from Vandalia to Jacksonville;"

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Happy,

The rule of the House was dispensed with, and

Said bill was read the second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Smith of Madison, from the select committee to which had been referred the petition of sundry citizens of Madison county for a State road, reported a bill for

"An act to locate a State road from Alton to Elias Givynn's;"

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Harris,

The rule of the House was dispensed with, and

The said bill was read the second time by its title, and

On his further motion,

Said bill was referred to a select committee.

*Ordered*, That Messrs. Harris, Smith of Madison, and Reddick be that committee.

Mr. Dunn proposed for adoption the following resolutions, viz:

*Resolved* 1. That a committee of five be appointed to ascertain, as far as practicable, the amount of individual indebtedness to the Branch Bank of the State Bank of Illinois, at Alton; the names of the debtors, the character of the debts, whether by bill or otherwise; also the amount of bad or doubtful debts.

That inasmuch as the State Bank of Illinois has asked at the hands of this Legislature extraordinary indulgence, that they enquire whether any indulgence has been extended by said branch to her debtors, and if so, into the character and degree of said indulgence. Also, whether the mother Bank has directed the most speedy collection of the debts of said Bank and its branches without let or stay, extent of time, or any relief whatever.

And whether in the collection of the debts of said Bank and its branches, the officers of the same have not been limited by resolution of the mother Bank, to the receipt of gold and silver, and their own notes.

*Resolved* 2. That this committee enquire into the fact whether the loans of the Bank have been confined to the cit-



izens of Illinois, and if not what has been loaned out of this State, and to whom.

Whether also the said Bank has loaned its paper, or in any manner accommodated other banking institutions in other States.

*Resolved 3.* That said committee further enquire whether it was not the policy and endeavor of said Bank, after she herself had suspended specie payments, to compel the rest of the Banks of this State to suspend also; and whether for this purpose she did not threaten to abstract from the Bank at Shawneetown, the \$60,000 of the surplus revenue there only on special deposite, if she did not so suspend also.

*Resolved 4.* That said committee also enquire whether all or what portion of the surplus revenue has been received in gold and silver according to the terms of the resolution passed by both branches of the General Assembly last winter; and if it has not been so received, whether said Bank has only become responsible for the drafts of the General Government on other Banks in favor of this State, in liquidation of the share of the surplus revenue coming to the latter, and if so, to what amount and on what banks:

And whether it was the arrangement and intention of said Bank to receive all of our share of surplus, unpaid, in the same manner, and upon the same terms.

*Resolved 5.* That said committee further enquire into the capability of said Bank to refund the moneys of the state now in deposite with her in gold and silver; and if she would be able so to do, whether she would be able to refund them with all of her individual deposites in the same kind of money:

And that they enquire into the expediency, under the lights of such information as they may obtain, of withdrawing the deposites of the state now in said Bank from her:

And that they report at the earliest practicable day, by bill or otherwise.

On motion of Mr. Hardin,

Said resolutions were laid on the table and 150 copies ordered to be printed.

Mr. Speaker laid before the House a communication from the Governor, which was read as follows, to wit:

EXECUTIVE DEPARTMENT, }  
 Vandalia, July 14th, 1837. }

*To the Honorable, the Speaker of the House of Representatives:*

Sir: In compliance with a communication of the House of Representatives of the 13th instant, calling upon the Department for certain information, in relation to the creation and organization of the county of Bureau, I have the honor herewith to state, that I have recognized that county as having been legally established by a majority of the qualified voters of the county of Putnam, out of which it was formed by the act of the last Legislature. It appears from all the evidence and documents transmitted to this Department, by those who were in favor, as well as those against the formation of said county, that a clear and decided majority of the qualified voters within the limits of the territory embracing Putnam and Bureau, voted for the establishment of the new county. It also appears that the circuit Judge of that county, after a full and thorough examination of the evidence in relation to the votes in favor of the organization of the county, decided in favor, and appointed a Clerk of the Circuit Court for that county. Believing, therefore, from all the evidence and facts submitted to my examination, that a majority of the qualified voters, who voted on that occasion, had given their votes in favor of the new county, I was constrained to recognize the county as having been legally established. I herewith enclose an abstract of the votes given for and against the formation of the said county, as well as the official returns from the Clerk of the County Commissioners' Court of the county of Putnam.

I have the honor to be, Sir,

Your ob't Servant,

JOSEPH DUNCAN.

On motion of Mr. Atwater,

Said communication and accompanying documents were referred to a select committee.

*Ordered*, That Messrs. Atwater, Dubois and Somerville, be that committee.

On motion of Mr. Williams,

*Resolved*, That the Auditor be requested to inform this House at what time the fifty thousand dollars named in his report of the 13th instant, to this House, was drawn by the fund commissioners from the State Bank; for what object it

was drawn; by whom received, and under what law it was so drawn.

Mr. Davidson gave notice, that on Monday next, or some day thereafter, he would ask leave to introduce a bill to locate a State road from Salem in Marion county to Ewington in Effingham county, and to Charleston in Coles county.

Mr. Ewing gave notice, that on some day after to-morrow he would ask leave to introduce a bill for an act to amend the acts therein mentioned.

Mr. Wheeler from the select committee to which was referred the petition of sundry citizens of Pike county for the re-location of a certain State road, reported a bill, for

“An act changing a certain State Road,” which was read and

*Ordered* to a second reading.

On motion of Mr. Wheeler,

Said bill was read a second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Hunt, agreeably to previous notice given, asked and obtained leave to introduce a bill concerning a State road in Edwards county, which was read, and

*Ordered* to a second reading.

On motion of Mr. Hunt,

The rule of the House was dispensed with, and the said bill was read a second time by its title, and

*Ordered* to be engrossed for a third reading.

A message from the Senate, by Mr. Prentiss, Assistant Secretary,

Mr. SPEAKER:

I am directed to inform the House of Representatives that the Senate have adopted the following resolution, to wit:

*Resolved by the Senate, (the House of Representatives concurring herein)* That a joint select committee of two on the part of the Senate, and three on the part of the House of Representatives, be appointed to inquire and report what number of Officers, Engineers and Agents are now employed under the provisions of an act, entitled “An act to establish and maintain a general system of internal improvements,” passed on the 27th day of February, 1837; also the names of said Officers, Engineers and Agents, and the particular duties assigned to each; by what authority said Officers, Engineers and Agents have been appointed, and the salaries at which they are respectively employed, if employed at annual salaries; or their

per diem or monthly pay, if paid by the day or month; the amount of money expended under said bill, for what expended, to whom paid, and by what authority drawn from the Treasury; and that said committee have power to send for persons and papers; and that they make report as soon as the nature of the duties to be performed will allow. They have appointed Messrs. Browning, and Allen of McLean, the committee on their part, and ask the concurrence of the House therein.

They have passed bills of the following titles, viz:

"An act to extend the corporate powers of the President and Trustees of the town of Springfield:"

"An act to incorporate the Illinois Female Institute:"

"An act to authorize John Green and William Stadden, to build a toll bridge across Fox River," and

"An act forming an additional Justices' District in the county of Randolph."

In the passage of which several bills they ask the concurrence of the House of Representatives.

And he withdrew.

Mr. Rawalt, agreeably to notice heretofore given, asked and obtained leave to introduce a bill for

"An act to incorporate the Centreville Steam Mill Company,"

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Wyatt,

*Resolved*, That the Governor be requested to communicate to this House all the information which he may be in possession of in relation to the Wiggins debt, and whether the State of Illinois is discharged from the payment of the same, and whether the bonds of the State are lifted or not.

Mr. Whitten proposed for adoption the following resolution:

*Resolved by the House of Representatives*, (the Senate concurring therein,) That there shall be no more business received in either House of this General Assembly after Saturday the 15th instant.

Mr. Carpenter moved to lay the resolution on the table.

Which was decided in the negative, by yeas and nays upon the call of Messrs. Dubois and Cloud, as follows, to wit:

In the affirmative:

Messrs.—Baker, Bentley, Carpenter, Copeland, Connolly, Courtright, Craig, Cunningham, Davidson, Dollens, Dougherty, Edmonston, English, Green of Green, Hankins, Huey, Lagow, Leary, Lincoln, Marrs, Murphy of Perry, Murphy of

Vermilion, Rawalt, Richardson, Turley, Watkins, and Witt—27.

In the negative—

Messrs. Atwater, Ball, Barnett, Bartlett, Cloud, Crain, Cullom, Davis, Dawson, Diarman, Dubois, Dunn, Edwards, Elkin, Ewing, Green, of St. Clair, Happy, Hardin, Harris, Hinshaw, Hogan, Hunt, Lyons, McMurtry, Madden, Minshall, Moore, of McLean, Moore, of St. Clair, Morton, Naper, Odam, Oneille, Pace, Paullen, Reddick, Scarborough, Shields, Smith, of Madison, Smith, of Wabash, Stuart, Stuntz, Thompson, Turney, Walker, of Cook, Walker, of Morgan, Webb, Wheeler, Whitten, Williams, Wood, Wyatt, Mr. Speaker—52.

The question was then taken on the adoption of the resolution, and decided in the affirmative by yeas and nays upon the call of Messrs. Dubois and Cullom, as follows, to wit:

In the affirmative—

Messrs. Atwater, Ball, Barnett, Bartlett, Cloud, Crain, Cullom, Davis, Dawson, Diarman, Dubois, Dunn, Edmonston, Edwards, Elkin, Ewing, Green, of St. Clair, Happy, Hardin, Harris, Hinshaw, Hogan, Hunt, Logan, Lyons, McCormick, McMurtry, Madden, Minor, Minshall, Moore, of McLean, Moore, of St. Clair, Morton, Naper, Odam, Oneille, Pace, Paullen, Reddick, Scarborough, Shields, Smith, of Madison, Smith, of Wabash, Stuart, Stuntz, Thompson, Turney, Walker, of Cook, Walker, of Morgan, Webb, Wheeler, Whitten, Williams, Wood, Mr. Speaker—55.

In the negative—

Messrs. Baker, Bentley, Carpenter, Copeland, Connolly, Courtright, Craig, Cunningham, Davidson, Dollens, Dougherty, English, Green, of Green, Hankins, Lagow, Leary, Lincoln, Marrs, Murphy, of Perry, Murphy, of Vermilion, Rawalt, Richardson, Turley, Watkins, Witt, Wyatt—26.

*Ordered*, That the clerk carry the said resolution to the Senate, and ask their concurrence therein.

Mr. Dougherty gave notice that he would on to-morrow or some day thereafter, ask leave to introduce bills of the following titles:

“A bill for an act to repeal a certain act therein named,”

“A bill for an act to review and re-locate a certain state road therein named,” and

“A bill for an act concerning bail in criminal cases.”

Mr. Paullen, agreeably to notice heretofore given,

Asked and obtained leave to introduce a bill for

"An act for publishing and distributing the reports of the supreme court of this state;

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Paullen,

The rule of the House was dispensed with,

And the said bill was read the second time by its title.

Mr. Moore moved to refer the bill to the committee on the Judiciary;

Which was not agreed to.

The bill was then

*Ordered* to be engrossed for a third reading.

Message from the Senate, by Mr. Thomas, their Secretary.

MR. SPEAKER,—

The Senate have concurred with the House of Representatives in the adoption of the resolution having for its object the meeting of the two Houses in the Representatives' Hall, this evening at 4 o'clock, P. M., for the purpose of electing a Judge for the First Judicial Circuit in this state, as amended by them.

They amend by striking out the 14th and inserting the 15th in lieu thereof, and ask the concurrence of the House of Representatives therein.

And he withdrew.

Mr. Edmonston, agreeably to notice heretofore given, Introduced a bill for

"An act concerning the public revenue;"

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Richardson,

The rule of the House was dispensed with and said bill was read the second time by its title

Mr. Hogan moved to refer the bill to the committee on Finance;

Which was not agreed to.

*Ordered* to be engrossed for a third reading.

Mr. Smith, of Madison, agreeably to notice, introduced a bill for

"An act giving power to the county commissioners of Madison county, to review and relocate certain state roads in said county;"

Which was read, and

*Ordered* to a second reading.

On motion of Mr. Elkin,

The rule of the House was dispensed with and said bill was read the second time by its title.

On motion of Mr. Bentley,

Said bill was referred to a select committee.

*Ordered*, That Messrs. Bentley, Smith, of Madison, and Hogan be that committee.

Mr. Happy, agreeably to notice heretofore given, introduced a bill for

"An act concerning justices of the peace and constables."

Which was read, and

On motion of Mr. Morton,

The rule of the House was dispensed with,

And said bill was read the second time by its title, and

On motion of Mr. Stuart,

Said bill was referred to the committee on the Judiciary.

On motion of Mr. Minor,

*Resolved*, That the Governor be requested to inform this House whether the State is in possession of arms for the purpose of supplying the Militia, and what number there are of them, the place where deposited, the condition they are in, and upon what terms they can be had for the use of the militia.

The amendment of the Senate to the resolution from the House of Representatives, in relation to the election of Judge in the first Judicial Circuit,

Was read, and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

A bill from the Senate, entitled

"An act concerning public roads,"

Was read, and

*Ordered* to a second reading.

On motion of Mr. Rawalt,

The rule of the House was dispensed with, and said bill was read a second time by its title, and

On motion of Mr. Bentley the rule of the House was further dispensed with, and

*Ordered*, That the title be as aforesaid, and that the Clerk

Said bill was read a third time by its title and passed.

inform the Senate thereof.

The resolution from the Senate, having for its object the appointment of a joint select committee, to inquire into the number and names of the Officers, Engineers and Agents, appointed under "an act to establish and maintain a general

system of Internal Improvements," their duties, salaries, &c., and the amount of moneys expended under said bill, &c.

Was read, and

On motion of Mr. Happy,

Said resolution was amended by adding

"And that the said committee further enquire into and report the number of Engineers, Agents, Superintendents and servants of every description, employed by the Commissioners of the Illinois and Michigan Canal; the names and amount of compensation allowed, and the nature of the service assigned to each."

On motion of Mr. Smith of Wabash,

The resolution was further amended by adding "and into the amount of money expended in the entry and purchase of lands for the use of the State, under the authority of said law, by the Board of Public Works."

The resolution was then concurred in as amended.

*Ordered* that Messrs. Dougherty, Hardin, and Naper, be appointed the committee on the part of the House, that the Clerk inform the Senate thereof, and ask their concurrence in the amendments of the House to said resolution.

A message from the Senate, by Mr. Thomas their Secretary,  
Mr. SPEAKER:

The Senate have concurred with the House of Representatives in the adoption of the resolution providing that no new business shall be received in either House of this General Assembly, after Saturday the 15th instant.

He then withdrew.

The bill from the Senate, entitled

"An act to extend the corporate powers of the President and Trustees of the town of Springfield,"

Was read and

*Ordered* to a second reading.

On motion of Mr. Dawson,

The rule of the House was dispensed with, and

Said bill was read the second time by its title.

On motion of Mr. Lincoln,

Said bill was referred to a select committee,

*Ordered*, that Messrs. Lincoln, Edwards and Baker be that committee.

The bill from the Senate entitled

"An act forming an additional Justices' district in the county of Randolph"



Was read, and

Ordered to a second reading.

On motion of Mr. Shields,

The rule of the House was dispensed with, and

Said bill was read the second time by its title, and

Ordered to a third reading.

On the further motion of Mr. Shields

The rule of the House was further dispensed with, and

Said bill was read a third time by its title and passed.

Ordered that the title of said bill be as aforesaid, and that the Clerk inform the Senate thereof.

On motion

The House adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

House met pursuant to adjournment.

Mr. Lincoln presented the petition of sundry citizens of Sangamon county, praying the establishment of a new county, the reading of which was

On his motion dispensed with, and referred to the committee on petitions.

Mr. Barnet presented the petition of sundry citizens for a State road, the reading of which was

On his motion dispensed with, and referred to the committee on Petitions.

Mr. Ewing presented the petition of Mary Evans and others, praying the sale of certain land, the reading of which was,

On his motion, dispensed with, and referred to a select committee.

Ordered that Messrs. Ewing, Hankins, and Turley be that committee.

Mr. Ewing presented the remonstrance of sundry citizens against the repeal of the law locating a certain road,

The reading of which was

On his motion dispensed with, and referred to the same select committee to which a bill on the same subject had been referred.

Mr. Lincoln presented the petition of sundry citizens of

Sangamon county, praying the review of a certain State road, in said county, the reading of which was

On his motion dispensed with, and referred to a select committee.

Ordered that Messrs. Lincoln, McCormick and Elkin be that committee.

On motion of Mr. Ewing,

*Resolved by the House of Representatives,* (the Senate concurring herein,) That the Secretary of State be authorized and directed to distribute among the several counties of this state, in the ratio that the laws and journals are distributed, all the unbound copies of the Acts of Congress now in, and that may hereafter come into the office of the Secretary of State, reserving for the use of the state five copies of each session.

*Ordered,* That the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Hardin, from the select committee to which was referred the petition of sundry citizens of Morgan and Cass counties, reported a bill for

An act legalizing the incorporation of Beardstown

Which was read, and

Ordered to a second reading.

On motion of Mr. Walker of Morgan,

The rule of the House was dispensed with, and

Said bill was read a second time by its title, and

*Ordered* to be engrossed for a third reading.

Mr. Cloud from the committee on Roads and Canals, reported a bill, for

An act to locate a State road from Danville to Chicago, and from Juliet to the state line,

Which was read, and

*Ordered* to a second reading.

Mr. Wyatt, from the committee on Petitions to which was referred the petition of sundry citizens of White county, for the erection of a mill dam, reported the same back, and asked to be discharged from its further consideration.

Which was granted.

Mr. Smith of Madison proposed for adoption the following resolution, viz:

*Resolved by the General Assembly,* (two-thirds concurring herein,) That it be recommended to the Electors of the state of Illinois, at the next general election for Representatives, to vote or against a Convention amend the Constitution of this State.

The question was taken upon the adoption of the resolution,

And decided by yeas and nays as follow, to wit:

In the affirmative,

Messrs. Atwater, Ball, Barnett, Bartlett, Bentley, Cloud, Copeland, Courtright, Craig, Davidson, Davis, Edmonston, Edwards, English, Ewing, Green of St. Clair, Green of Greene, Hankins, Happy, Hardin, Harris, Hinshaw, Huey, Lagow, Leary, McMurtry, Madden, Marrs, Minor, Minshall, Moore of McLean, Morton, Naper, Oneille, Reddick, Richardson, Scarborough, Shields, Smith of Madison, Smith of Wabash, Somerville, Turley, Turney, Walker of Cook, Walker of Morgan, Watkins, Wheeler, Williams, Witt, Wood, Wyatt, and Mr. Speaker—52.

In the negative,

Messrs. Baker, Carpenter, Connelly, Crain, Cullom, Cunningham, Dawson, Diarman, Dollens, Dougherty, Dubois, Dunbar, Dunn, Elkin, Hogan, Hunt, Lincoln, Logan, Lyons, McCown, Moore of St. Clair, Murphy of Perry, Murphy of Vermilion, Odam, Pace, Paullen, Rawalt, Stuart, Stuntz, Thompson, Voris, Webb, and Whitten—33.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence in the passage of said resolution.

*It is further ordered*, That the clerk inform the senate, that, upon the passage of said resolution in the House of Representatives, fifty-two members voted in the affirmative; thirty-three in the negative; and that eighty-nine now hold their seats in the House of Representatives.

Mr. Whitten gave notice that he would, on to-morrow, ask leave to introduce a bill to repeal

“An act to establish and maintain a general system of Internal Improvements, approved February 27th, 1837.”

The engrossed bill, entitled

“An act to locate a State road from Nelson, in Shelby county, to Leroy, in McLean county,”

Was read the third time, and

On motion of Mr. Turley,

Referred to a select committee.

*Ordered*, That Messrs. Turley, Reddick, and Moore of McLean be that committee.

The engrossed bills of the following titles, to wit:

“An act to re-establish a certain road therein mentioned;”

"An act to re-locate a part of a state road in Edgar county;"

"An act to vacate certain town plats;"

"An act to change the name of the town of Centreville;"

"An act to vacate part of a State road between Beardstown and Springfield;"

"An act for the purposes therein named;"

"An act to amend an act, entitled an act to incorporate the town of Carlinville, approved March 4, 1837;"

"An act to change the names of Thomas Jefferson Sanders, and Francis Hood;" and

"An act to change a state road leading from Rushville to Carthage;"

Were severally read the third time, and passed.

"An act to establish a state road from Beardstown, in Cass county, to Petersburg, in Sangamon county;"

Was read the third time, and

On motion of Mr. Lincoln,

Was amended by striking out the name of "Miram Perry," and inserting "Isham Revis."

The bill then passed as amended.

*Ordered*, That the titles of the bills be respectively as aforesaid, and that the clerk carry said bills to the senate and ask their concurrence in the passage thereof.

The engrossed bill, entitled

"An act concerning State roads,"

Was read the third time, and

On motion of Mr. Moore of St. Clair,

Said bill was laid on the table.

The engrossed bill, entitled

"An act in relation to the county of Cass,"

Was read the third time.

Mr. Cloud moved to amend the bill by striking out the words "twelve, eighteen and twenty-four months," in second and third lines of the third section, and insert "one, two, and three years:"

When,

On motion of Mr. Wyatt,

Said bill and proposed amendment were referred to a select committee.

*Ordered*, That Messrs. Wyatt, Cloud, and Lincoln be that committee.

The bill from the Senate, entitled

"An act to authorize John Green and William Stadden to build a toll bridge across Fox river."

Was read the first and second times, and

*Ordered* to a third reading.

The bill from the Senate, entitled

"An act to incorporate the Illinois Female Institute,"

Was read, and

*Ordered* to a second reading.

On motion of Mr. Shields,

The rule of the House was dispensed with, and said bill was read a second time by its title.

On the further motion of Mr. Shields,

The rule of the House was further dispensed with, and said bill read the third by its title, and passed.

*Ordered*, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

Mr. Speaker laid before the House a communication from the secretary of state, which was read and is as follows; viz:

DEPARTMENT OF STATE, }  
Vandalia, July 14th, 1837. }

*To the Honorable the Speaker*

*of the House of Representatives:*

SIR:—In compliance with a resolution of the House of Representatives of the 13th inst., calling on this Department for a statement of the number of volumes of the revised laws of 1833, which are now in the office of Secretary of State, and what counties have not been furnished with copies of the law, I have the honor to state that there is now remaining in this department one hundred and eighty volumes of the revised laws of 1833. And in conformity to a resolution of both branches of the General Assembly at their last session, requiring the Secretary of State to procure all the copies that had been transmitted for sale to the different counties in this State, I addressed a circular enclosing a copy of the resolution to the different clerks, requesting them to furnish this department with all the copies that remained on hand and which had been originally transmitted to them for sale. After employing every exertion I was only able to procure 100 copies, which together with 50 volumes from this office have been distributed with the laws and journals of the last session of the Legislature, among the counties created last winter. The number required to supply all the counties where deficiencies

exist, cannot be correctly ascertained, but from the number of applications we have received, I would presume that it would require not less than 800 volumes. It will be recollected that in 1833 only 2000 copies were distributed. In 1837, the present year, 3700 copies have been sent to the different counties for distribution, which are barely sufficient for them with the present population. The country north of the Illinois river within the last three years has nearly doubled its population, and there has been a corresponding increase of officers, who are entitled to the laws.

I have the honor to be, Sir,

Your obedient servant,

A. P. FIELD,  
*Secretary of State.*

On motion of Mr. Moore of St. Clair,

Said communication was laid upon the table.

Mr. Speaker also laid before the House, a communication from the Secretary of the Board of Internal Improvement, which was read, and is as follows, viz:

**CENTRAL INTERNAL IMPROVEMENT OFFICE OF  
THE STATE OF ILLINOIS,**

VANDALIA, July 14th, 1837.

*To the Honorable the Speaker*

*of the House of Representatives:*

SIR,—In compliance with a resolution of the House of Representatives, calling on the Secretary of the Board of Internal Improvements for certain information relative to the names and number of persons employed by the Board, their duties, and the salary or per diem compensation allowed them, I have the honor to submit the following statement, which you will please lay before the body over which you preside. This statement, although containing all that is officially known at this office concerning the subject of inquiry, is nevertheless very imperfect, owing to the fact, that several of the corps of engineers have been so recently organised, that time has not been allowed for the reception of reports of the principal engineers, concerning them. A few copies of a printed abstract from the journal of the Board, are herewith transmitted, in which the duties of several of the officers employed by the Board, are more fully shown than could otherwise be done unless this report were too greatly extended:

*A TABLE, exhibiting the names of persons employed by the Board of Commissioners of Public Works, and shewing their compensation and duties.*

Names of persons employed.	Salary, or per diem compensation.	Duties.
<i>1st. Southern District.</i>		
Edward Smith,	Unknown, but not exceeding \$3,000 per annum, and subject to deduction when absent from duty.	Principal Engineer of the southern engineering district.
Walter Terrel,	Not exceeding \$2,000 per annum.	Sen. Assistant } For the specific duties of Engineers
Edward K. Gibbon,	do. do. do.	Jun. Assistant } see abstract, pages 7, 10, 11, 12, 23, 26, 43 & 44.
James Shields,	\$1,000 per annum,	Clerk of south- } For specific duties, see printed abstract, pages 6 and 8.
John Shuls,	\$900 do.	Surveyor.
W. J. Henderson, }	\$1 50 per day, each	Rodmen.
E. K. Smith, }	Unknown,	Commissary and wagoner.
Isaac Demint,	\$1 per day, each,	Chainmen.
James R. Jug, }	\$1 per day, each,	Axemen to compass.
M. Shuls, }		
Ephraim Crane, }		
Armstrong Ritchey, }		

[TABLE CONTINUED.]

Names of persons employed.	Salary, or per diem compensation.	Duties.
<i>Southern District—continued.</i> Reuben Fox, Dewey C. Griffith,		
<i>2d. Western District.</i> James Bucklin, J. W. Chinn,		
Newton Cloud,	\$1 per day, \$1 per day.	Axeman to level. Campman and Cook.
A leveller and surveyor (names unknown,) Other hands making a complete party, William Pollock,	\$3,000 per annum, Unknown,	Chief Engineer. } See abstract Assistant Engineer } as first re- for specific object. } ferred to.
	\$1,000 per annum, \$2 per day, each.	Clerk of west } See abstract p. ern district. } 6 and 8.
	\$20 per month, each. \$2,000 per annum,	Assistant Engineer.
<i>3d. Northern District.</i> James Seymour, Hiram P. Woodworth, John W. Ingersoll,		
\$3,000 per annum, \$1,500 per annum, Unknown,	Chief Engineer. } For duties, see Ass't Engineers. } abstract as 1st referred to	



Other persons making party complete (names unknown,)	Compensation unknown.	
Samuel Hackelton, <i>4th. Eastern District.</i> A. W. Hoyt, Party complete,	\$3 per day when actually employ'd  Unknown, Unknown.	General Agent in the 5th, 6th, and 7th judicial circuits.  Chief Engineer.
<i>5th. Central Rail-road.</i> John Freeman,  Richard A. Gilpin,	Unknown,  \$1,800 per annum,	Acting as Chief Engineer on the Central Rail-road. Assistant Engineer, transferred to great western mail route under E. Smith, and is now proceeding thereon with his party.
Party complete,	Unknown.	

The whole of which is respectfully submitted.

Your Obedient,

G. W. CARRUTHERS, Sec'y of Board of Public Works.

On motion of Mr. Dunbar,

Said communication was referred to the joint select committee appointed to enquire into the transactions of said board.

On motion of Mr. Wyatt,

*Resolved*, That the committee on the Judiciary be instructed to enquire into the expediency of the passage of a law which will render any member of the General Assembly incapable of retaining his seat, who is holding offices of profit, or drawing salaries out of any money belonging to the state; and that they report by bill or otherwise.

The yeas and nays being called for on the adoption of this resolution by Messrs. Bentley and Murphy of Vermilion.

Those voting in the affirmative are:

Messrs. Atwater, Baker, Ball, Barnett, Bartlett, Bentley, Carpenter, Cloud, Copeland, Connolly, Courtright, Craig, Crain, Cullom, Cunningham, Davis, Dawson, Diarman, Dolens, Dougherty, Dubois, Dunbar, Dunn, Edmondston, Edwards, Elkin, English, Ewing, Green of St. Clair, Green of Green, Hankins, Happy, Hardin, Harris, Hinshaw, Hogan, Huey, Hunt, Lagow, Leary, Lincoln, Logan, Lyons, McCowan, McMurtry, Madden, Marrs, Minor, Minshell, Moore of McLean, Moore of St. Clair, Morton, Murphy of Vermilion, Naper, Odam, Oneille, Pace, Paullen, Rawalt, Reddick, Richardson, Scarborough, Shields, Smith of Madison, Smith of Wabash, Somerville, Stuart, Stuntz, Thompson, Turley, Turney, Voris, Walker of Cook, Walker of Morgan, Watkins, Webb, Wheeler, Whitten, Williams, Witt, Wyatt, and Mr. Speaker—81.

In the negative—none.

Mr. Ewing proposed for adoption the following resolutions, viz:

*Resolved* 1. That among the prominent causes which have produced the present deranged condition of the monetary system of the country, the chief and most prominent one producing the effect, has been the great and unnecessary multiplication of banks in the several states, and the abuse of their corporate powers, whose creation has added nothing to the actual capital of the country, but has on the contrary deluged it with a redundant circulation of bank notes of a depreciated and in many instances of an entirely worthless and valueless character, by which the producing classes of society have suffered great and ruinous losses.

*Resolved* 2. That the wild and ruinous speculations and ex-

travagances into which most of the prominent classes and wealthy portions of the community have plunged with a recklessness, alike characterised by the desperation of its spirit, and the needlessness of its objects, as by the force of its example, had the most unhappy tendency in unsettling the prudent, economical, and industrious habits of the producing classes of the community, and produced a vitiated and depraved desire to accumulate wealth without labor; and that these causes have also acted as a great auxiliary in hastening the derangements and embarrassments under which we now labor.

*Resolved 3.* That all fictitious currencies not based upon metallic substances of the precious metals, are alike invariably subject to endless fluctuations, are ruinous in their tendencies, and afford one portion of the community an undue and unjust advantage over the less informed and laboring classes, and afford the means of the more cunning acquiring wealth at the expense of the more industrious, who desire to live by their labor and sweat of their brow than by their wits.

*Resolved 4.* That in order to redeem ourselves from the present unhappy and embarrassed condition into which we have been forced by the causes enumerated, it is indispensably necessary that all classes of community should promptly and without hesitation return to, and resume their former habits of prudence, economy and industry; and that every member of the community should recognise and act upon the principle that every man in the community is bound by every social and moral obligation in the sphere in which he moves, to contribute some valuable acquisition to the common stock of the wealth and productive industry of the nation, and that until this course is pursued it will be in vain to hope for an escape from our present calamities.

*Resolved 5.* That all legislation or attempts by legislative enactments, to interfere with the currency of the country under the pretence of remedying the evils of that currency, are but so many unwise, unjust, and ineffectual expedients to remedy evils which have their origin in the system itself, and which can never be corrected or eradicated; and that no attempt should be suffered to be made, or enactments adopted, to interfere with the constitutional currency of the country, much less to justify the refusal to pay in that currency when legally demanded, whether of corporations or individuals.

Mr. Williams moved to lay said resolutions on the table, when

On motion of Mr. Ewing,  
Said resolutions were laid on the table,  
And 200 copies printed.  
And then

The House adjourned.

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SATURDAY, July 15, 1837.

The House met pursuant to adjournment.

Mr. Speaker appointed Mr. Bartlett on the committee on Enrolled Bills, and on Commerce and Manufactures.

Message from the Senate, by Mr. Thomas, their Secretary.  
**MR. SPEAKER:**

I am directed to inform the House of Representatives, that the Senate have adopted the following resolution, viz:

*Resolved by the Senate,* (the House of Representatives concurring herein,) That the Board of Public Works appointed under the provisions of "An Act to establish and maintain a general system of Internal Improvements," approved February 27th, 1837, are hereby required to make quarterly report to the Governor of the State of Illinois, a minute and particular statement of the number of Engineers, Officers and Agents, employed by them on the several improvements contemplated by said act, specifying the nature of the services required by each, of the salaries or sum per diem allowed each, and the length of time or number of days such Engineer, Officer, or Agent, will necessarily be engaged in service, which report, when so made to the Governor, shall be published in the public newspapers throughout the State.

In the passage of which they ask the concurrence of the House of Representatives.

He then withdrew.

Mr. Leary presented the petition of James Walker of Cook county, praying remuneration for certain property taken from him for the use of the State, by the Commissioners of the State, in the year 1829, the reading of which was,

On his motion dispensed with, and

Referred to the committee on Petitions.

Mr. Hogan presented the remonstrance of sundry citizens of Madison county, &c. against the repeal of a certain law, the reading of which was,

On his motion dispensed with, and

Referred to the same select committee to which the remonstrance and bill on the same subject had been referred.

Mr. Murphy of Perry presented the petition of Thomas Gocher, praying to be divorced from Mary his wife,

Which was read, and

Mr. Murphy moved to refer the petition to the committee on Petitions.

Mr. Morton moved to lay said petition on the table till the 1st day of December, 1839.

The question was taken on the motion to refer the petition to the Committee on Petitions, and decided in the affirmative.

On motion of Mr. Hardin,

The vote heretofore taken on the passage of a bill, entitled "An act to vacate part of a State road, between Beardstown and Springfield,"

Was reconsidered, and

On his further motion,

Referred to a select committee.

*Ordered*, that Messrs. Hardin, Walker of Morgan, and Happy be that committee.

Mr. Dubois, from the committee on Corporations, reported a bill for

An act to incorporate the town of Calcedonia,

Which was read, and

*Ordered* to a second reading.

Mr. Hogan from the committee on Commerce and Manufactures, reported a bill, for

An act to incorporate the Alton Ferry Company,

Which was read twice and

On motion of Mr. Morton,

Said bill was referred to the committee on Corporations.

Mr. English, from the committee on the Judiciary reported a bill, for

An act to incorporate the Apple Creek Navigation Company,"

Which was read.

The question was taken on ordering the bill to a second reading, and

Decided in the negative.

L. R. Wilson, a representative from the county of Sangamon, appeared and took his seat.

Mr. Wheeler from the committee on Petitions, reported a bill for

An act to repeal "An act to provide for and maintain a general system of Internal Improvements," approved Feb. 27th, 1837,

Which was read.

Mr. Ewing moved to lay the bill on the table, and

On motion of Mr. Dunbar,

Said motion was amended by adding the words "fourth day of July next."

The yeas and nays being called for on this question by Messrs. Bentley and Paullen,

Those voting in the affirmative, are

Messrs. Atwater, Baker, Bartlett, Cloud, Connolly, Craig, Crain, Cullom, Cunningham, Davidson, Dawson, Dougherty, Dunbar, Dunn, Edmonston, Edwards, Elkin, Happy, Hinshaw, Hogan, Huey, Hunt, Leary, Lincoln, Logan, Lyons, McCormick, Madden, Marrs, Moore of McLean, Moore of St. Clair, Morton Murphy of Perry, Naper, Rawalt, Reddick, Scarborough, Shields, Smith of Madison, Smith of Wabash, Stuart, Stuntz, Turley, Turney, Voris, Walker of Cook, Watkins, Wilson, Wood, and Mr. Speaker—50.

In the negative,

Messrs. Ball, Barnett, Bently, Carpenter, Copeland, Court-right, Davis, Diarman, Dollens, Dubois, English, Ewing, Green of Green, Hankins, Hardin, Harris, Lagow, McCown, McMurtrie, Minor, Minshall, Murphy of Vermillion, Odam, Oneille, Pace, Paullen, Richardson, Somerville, Thompson, Walker of Morgan, Webb, Wheeler, Whitten, Williams, Witt, and Wyatt—36.

The question recurring on Mr. Ewing's motion, as amended, viz:

"To lay the bill on the table till the 4th day of July next,"

It was decided in the affirmative, by yeas and nays, upon the call of Messrs. Bentley and Smith of Madison as follows, to wit:

In the affirmative,

Messrs. Atwater, Baker, Bartlett, Cloud, Connolly, Craig, Crain, Cullom, Cunningham, Davidson, Dawson, Dougherty, Dunbar, Dunn, Edmonston, Edwards, Elkin, Green of St. Clair, Happy, Hinshaw, Hogan, Huey, Hunt, Leary, Lin-

coln, Logan, Lyons, McCormick, Madden, Marrs, Moore of McLean, Moore of St. Clair, Morton, Murphy of Perry, Murphy of Vermilion, Naper, Rawalt, Reddick, Scarborough, Shields, Smith of Madison, Smith of Wabash, Stuart, Stuntz, Turley, Turney, Voris, Walker of Cook, Watkins, Wilson, Wood, Wyatt, and Mr. Speaker—53.

In the negative,

Messrs. Ball, Barnett, Bentley, Carpenter, Copeland, Court-right, Davis, Diarman, Dollins, Dubois, English, Ewing, Green of Greene, Hankins, Hardin, Harris, Lagow, McCown, McMurtry, Minor, Minshall, Odam, Oneille, Pace, Paullen, Richardson, Somerville, Thompson, Walker of Morgan, Webb, Wheeler, Whitten, Williams, and Witt—34.

A message from the Senate, by Mr. Thomas, their secretary.

Mr. SPEAKER,—

The Senate have passed bills of the following titles, to wit:

“An act to re-locate part of the State road leading from Maysville to Shelbyville;”

“An act concerning conveyances;”

“An act to legalize processes in the circuit courts of this State;”

“An act concerning the recording of conveyances;”

“An act to locate a State road from Apanooce, in Hancock county, to the Drowning Fork of Crooked creek, in McDonough county, and to vacate part of a State road;”

“An act to amend the act incorporating the Kaskaskia bridge company;”

“An act to repeal an act in relation to schools in township thirty-nine north, range fourteen east;”

“An act for the benefit of a person therein named;”

“An act to amend an act to change the name of Watson James Filley, approved 16th January, 1837;”

“An act to locate a state road therein named;”

“An act for the relief of the purchasers of canal lands and lots;”

In the passage of which several bills they ask the concurrence of the House of Representatives.

He then withdrew.

Mr. Stuart, from the committee on Petitions, reported a bill, entitled

“An act for the benefit of the heirs of John Albert Jones;”

Which was read, and ---

*Ordered* to a second reading.

Mr. Smith of Wabash, from the committee on Internal Improvements, reported a bill for

"An act to prevent disasters on steamboats navigating the waters within the jurisdiction of Illinois;"

Which was read, and

*Ordered*, to a second reading.

Mr. Leary, from the committee on the Judiciary, reported a bill for

"An act to legalize certain terms of the circuit courts in the several judicial circuits;"

Which was read twice, and

*Ordered* to a second reading.

Mr. Wyatt, from the select committee to which had been referred the engrossed bill for

"An act in relation to the county of Cass,"

Reported the same back, with an amendment;

Which was read, and concurred in.

The bill then passed as amended.

*Ordered*, That the title be as aforesaid, and that the clerk carry said bill to the Senate, and ask their concurrence in the passage thereof.

Mr. Dougherty, from the committee on the Judiciary to which had been referred the bill for

"An act relating to State's Attorneys,"

Reported the same back without amendment,

When,

On motion,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

The question pending when the House adjourned, in the forenoon, being on ordering to be engrossed for a third reading the bill entitled

"An act relating to State's Attorneys,"



Again coming up for consideration,

On motion of Mr. Richardson,

Said bill was laid upon the table till the 4th day of July next.

The yeas and nays being called for on this question by Messrs. Hardin and Williams,

Those voting in the affirmative are,

Messrs. Atwater, Carpenter, Cloud, Copeland, Courtright, Cunningham, Davidson, Davis, Diarman, Dollins, Dougherty, Dunn, Edmonston, English, Ewing, Green of St. Clair, Green of Greene, Happy, Harris, Leary, Logan, McCown, Madden, Marrs, Minor, Morton, Murphy of Perry, Naper, Odam, Paullen, Reddick, Richardson, Scarborough, Shields, Smith of Madison, Turney, Walker of Cook, Walker of Morgan, Watkins, Wheeler, Whitten, Witt, Wyatt, and Mr. Speaker—44.

In the negative,

Messrs. Baker, Ball, Barnett, Bartlett, Bentley, Craig, Cullom, Dunbar, Edwards, Elkin, Hardin, Hogan, Hunt, Lincoln, McCormick, McMurtry, Minshall, Moore of McLean, Moore of St. Clair, Murphy of Vermilion, Oneille, Rawalt, Smith of Wabash, Stuntz, and Williams—26.

Mr. Witt, from the committee on Roads and Canals reported a bill, for

An act to establish a State road from Hillsborough to Grafton,

Which was read twice, and

On motion of Mr. Harris,

Referred to a select committee.

*Ordered*, that Messrs. Harris, Witt and Davis, be that committee.

Mr. Hardin, from the committee on the Judiciary reported a bill for

An act to suspend the operations of a certain law,

Which was read, and

On motion of Mr. Reddick,

Laid on the table.

Mr. Carpenter, from the committee on Propositions and Grievances, reported a bill, for

An act to encourage education in township five south, range six, east, of the third principal meridian;

Which was read, and

*Ordered* to a second reading.

Mr. Cloud, from the committee on Roads and Canals reported a bill, for

An act to amend the acts therein mentioned, and for  
 An act to locate a State road from Salem in Marion county,  
 to Charleston in Coles County,

Which was read, and

*Ordered* to a second reading.

Mr. Reddick, from the same committee, reported a bill for

An act declaring certain roads State roads,

Which was twice read, and

On motion of Mr. Bentley,

Referred to a select committee.

*Ordered*, That Messrs. Bentley, Huey and Davidson be that committee.

Mr. Walker of Morgan, from the committee on Petitions, reported a bill, entitled

An act for the purposes therein named, and for other purposes;

Which was read, and

*Ordered* to a second reading, by yeas and nays upon the call of Messrs. Walker of Morgan, and Turley, as follows, to wit:

In the affirmative,

Messrs. Ball, Carpenter, Cloud, Courtright, Craig, Crain, Cunningham, Davidson, Dougherty, Dubois, Dunbar, Dunn, Edmonston, Edwards, English, Ewing, Hankins, Happy, Hardin, Harris, Hogan, Lagow, Leary, Lincoln, Logan, Lyons, McCormick, Madden, Marrs, Minor, Morton, Murphy of Perry, Odam, Paullen, Rawalt, Reddick, Richardson, Scarborough, Smith of Madison, Smith of Wabash, Somerville, Stuart, Stuntz, Turley, Walker of Cook, Walker of Morgan, Watkins, Wheeler, Witt, Wyatt, and Mr. Speaker—19.

In the negative,

Messrs. Atwater, Baker, Barnett, Bartlett, Bentley, Copeland, Cullom, Davis, Dawson, Diarman, Dollens, Elkin, Green of S. Clair, Green of Greene, Hinshaw, Hunt, Lyons, McCown, McMurtry, Minshall, Moore of McLean, Moore of St. Clair, Murphy of Vermilion, Naper, Oneille, Pace, Turney, Whitten and Williams—29.

Mr. Lincoln, agreeably to notice heretofore given,

Asked and obtained leave to introduce a bill for

"An act to authorise Rhoda Hart and others to sell and convey certain real estate;"

Which was read, and

*Ordered* to a second reading.

Mr. Dougherty, agreeably to notice heretofore given,

Asked and obtained leave to introduce a bill for

"An act to repeal a certain act therein named;"

Which was read, and

Ordered to a second reading.

Mr. Hardin from the committee on the Judiciary to which was referred the resolution to inquire into the expediency of preventing members of the Legislature from holding offices under the Board of public works, reported a bill for

"An act to prevent members of the Legislature from holding offices under the board of public works, or the board of canal commissioners;"

Which was read, and

Ordered to a second reading.

Mr. Rawalt from the committee on Education, reported a bill for

"An act to locate a state road from Canton to Knoxville, and other purposes;"

Which was read, and

Ordered to a second reading.

Mr. Turney from the committee on Corporations, reported a bill for

"An act to incorporate the Caledonia rail road Company;"

Which was read, and

Ordered to a second reading.

Mr. Dunbar from the committee on Education to which was referred a resolution instructing said committee to inquire into the expediency of distributing the School Fund, reported a bill for

"An act for the distribution of the School Fund and to establish a uniform system of common schools;"

Which was read twice, and

On motion of Mr. Dunbar,

Referred to the committee on Education.

Mr. Harris from the committee on the Militia, reported a bill for

"An act to re-locate a part of a certain state road."

Which was read twice, and

On his motion,

Referred to a select committee.

Ordered, That Messrs. Harris, Green of Greene, and Smith of Madison be that committee.

Mr. Watkins, agreeably to notice heretofore given, asked and obtained leave to introduce a bill for

"An act to change the terms of the Gallatin circuit court;"

Which was twice read, and

On his motion,

Referred to a select committee.

*Ordered*, That Messrs. Watkins, Dunn, and Wood be that committee.

Mr. Moore of McLean, agreeably to notice heretofore given, asked and obtained leave to introduce a bill for

"An act declaring a certain road in McLean county a state road;"

Which was twice read, and

*Ordered* to be engrossed for a third reading.

Mr. Murphy of Perry, from the committee on Roads and Canals, reported a bill for

"An act to change part of a road therein named;"

Which was twice read, and

*Ordered* to be engrossed for a third reading.

Mr. Murphy of Perry, from the same committee, reported a bill for

"An act to change a part of the Shawneetown and Kaskaskia road;"

Which was twice read, and

Referred to a select committee.

*Ordered*, That Messrs. Murphy of Perry, Dollins, and Thompson be that committee.

Mr. Happy, from the committee on Internal Improvements, reported a bill for

"An act to repeal an act concerning the surplus revenue;"

Which was read, and

*Ordered* to a second reading.

Mr. Ewing, from the committee on Education to which had been referred the petition of Samuel Smallwood, and sundry other citizens of Macon county, praying pre-emption right to certain seminary lands, reported a bill, entitled

"An act for the relief of Samuel A. Smallwood;"

Which was read, and

*Ordered* to a second reading.

Mr. Ewing, from the committee on the Judiciary, reported a bill for

"An act authorizing an additional constable in Fayette county;"

And a bill for

"An act to amend an act to provide for the election of Probate Justices of the Peace;"

Which were read, and

*Ordered* to a second reading.

Mr. Hardin, from the same committee, reported a bill for

"An act in relation to the county of Livingston;"

Which was twice read, and

On motion of Mr. Leary,

Referred to a select committee.

*Ordered*, That Messrs. Leary, Hardin, and Walker of Morgan, be that committee.

Mr. Dunbar, from the committee on Education, reported a bill for

"An act to amend an act concerning process, approved February 25, 1837;"

Which was twice read, and

On motion of Mr. Richardson,

Referred to a select committee.

*Ordered*, That Messrs. Richardson, Dunbar, and Williams, be that committee.

Mr. Dougherty, from the Committee on the Judiciary, reported a bill for

"An act concerning bail in criminal cases;"

Which was read, and

*Ordered* to a second reading.

Mr. Wyatt, from the Committee on Petitions, to which had been referred the petition of sundry citizens of Sangamon county, praying for a division of said county, reported a bill for

"An act to establish the county of Marshall;"

Which was read, and

*Ordered* to a second reading.

Mr. Reddick, from the Committee on Roads and Canals, reported a bill for

"An act for a state road from Bowling Green, in Fayette county, via Ewington, in Effingham county, to Newton, in Jasper county;"

Which was twice read, and

On motion of Mr. Hankins,

Referred to a select committee.

*Ordered*, That Messrs. Hankins, Reddick and Davidson, be that committee.

Mr. Edmonston, from the Committee on Propositions and Grievances, reported a bill for

"An act authorizing the Clerks of the county Commissioners Courts to list certain land;"

Which was twice read, and

On his motion,

Referred to a select committee.

*Ordered*, That Messrs. Edmonston, Minshall, and McMurtry, be that committee.

Mr. Murphy of Perry, from the committee on Roads and Canals, reported a bill for

"An act relating to the duties of the county Commissioners;"

Which was read twice, and

On his motion,

Referred to the Committee on the Judiciary.

Mr. Hardin, from the select committee to which had been referred the engrossed bill, entitled

"An act to vacate part of a State Road between Beardstown and Springfield,"

Reported the same back with an amendment,

Which was read, and concurred in.

The bill then passed as amended.

On motion of Mr. Hardin, the title was amended so as to read

"An act to locate certain roads therein named;"

*Ordered*, That the Clerk carry said bill to the Senate, and ask their concurrence in the passage thereof.

Mr. Craig, from the Committee on Internal Improvements,

Reported a bill for

"An act to create the county of Adair, and for other purposes;"

Which was read, and

*Ordered* to a second reading.

On motion,

The House adjourned till 4 o'clock, P. M.

4 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mark Aldrich, Representative from the county of Hancock, appeared and took his seat.

Mr. Paulding presented a remonstrance from sundry citizens of Whiteside county, against any division or alteration of said county;

The reading of which was,

On his motion,

Dispensed with, and

Referred to the Committee on Petitions.

The Senate, preceded by their Speaker,

Appeared in the Hall of the House of Representatives, in pursuance of a joint resolution, for the purpose of electing a Judge of the First Judicial Circuit;

Whereupon,

Messrs. Pruyne of the Senate, and Moore of St. Clair, of the House, were appointed tellers,

And upon the ballot being taken,

Jesse B. Thomas received seventy-three votes;

William Brown " forty-two votes, and

Scattering five votes.

Jesse B. Thomas having received a majority of all the votes given,

Was declared by the Speaker of the House of Representatives, duly elected Judge of the First Judicial Circuit of the State of Illinois.

The Senate then withdrew.

Mr. Witt presented the petition of James H. Weisner and others, praying relief, &c.

The reading of which, was,

On his motion,

Dispensed with, and

Referred to a select committee.

Ordered, That Messrs. Witt, English, and Davis, be that committee.

Mr. Madden proposed for adoption the following resolution:

*Resolved*, That the Committee on the Judiciary be instructed to inquire whether any directors of the state bank, or its branches, or any agents, attorneys, or counsellors of the same, holds seats in the present General Assembly; and if so, how many, and who, and whether the charter of said bank does not especially prohibit such officers from being members of either branch of the Legislature; and whether, in these perilous times, when the whole power and influence of the banks are against the interests of the people, members can faithfully

represent the people, and at the same time owe allegiance to the banks, whilst legislating upon these conflicting and antagonist principles; and that they report by bill or otherwise;

Which was read.

Mr. Murphy of Vermilion, moved to amend by striking out all of said resolution from the word "Legislature," in the tenth line:

When,

On motion,

The House adjourned.

MONDAY, JULY 17, 1837.

The House met pursuant to adjournment.

Peter Green, Representative from the county of Clay, appeared and took his seat.

Mr. Rawalt presented a petition from sundry citizens of Fulton county, praying the incorporation of the Centreville Steam-mill Company;

The reading of which, was,

On his motion,

Dispensed with, and

Laid on the table.

Mr. Leary presented the petition of H. Brown and others, citizens of the county of Will, praying the name of the town of "Winchester" in said county, may be changed to that of "Wilmington;"

The reading of which, was,

On his motion,

Dispensed with, and

Laid on the table.

Mr. Rawalt presented a petition from sundry citizens of the counties of Fulton and Knox, praying the location of a state road therein named;

The reading of which was,

On his motion,



Dispensed with, and  
Laid on the table.

Mr. Davidson presented the petition of sundry citizens of Marion and Madison counties, praying the location of a state road from Salem, in the county of Marion, to Alton, in the county of Madison;

The reading of which, was,  
On his motion,  
Dispensed with, and

Referred to the same select committee to which a bill upon the same subject had heretofore been referred.

The question pending when the House adjourned in the afternoon on Saturday last, being on Mr. Murphy's of Vermilion, amendment to the resolution proposed for adoption by Mr. Madden, instructing the Judiciary Committee to inquire whether any directors or other officers of the State Bank of Illinois, hold seats in the present General Assembly, &c., again coming up for consideration,

Was taken,  
And decided in the affirmative.

On motion of Mr. English,  
The resolution was further amended by striking out the words "General Assembly," in the 6th line, and inserting "House of Representatives."

On motion of Mr. Williams,

The resolution was further amended by adding after the word "branches," in the fourth line, the words, "and also the Bank of Illinois, at Shawneetown."

Mr. Baker moved further to amend the resolution by adding the following:

"And also that the said committee inquire whether any members of the House are indebted to the Bank; and if so, whether they can vote with propriety upon any bill relating to the termination of the existence of the Bank, when they owe not allegiance, but money to the bank."

Mr. Dawson moved to lay said resolution and proposed amendments on the table.

Which was decided in the negative by yeas and nays, upon the call of Messrs. Cloud and Diarman, as follows, to wit:

IN THE AFFIRMATIVE:—Messrs. Aldrick, Atwater, Baker, Ball, Barnett, Copeland, Connolly Cullom, Dawson, Dougherty, Dunbar, Dunn, Edwards, Green of Clay, Green of Greene, Hunt, Lincoln, Lyons, McMurtrie, Naper, Voris, and Watkins—22.

IN THE NEGATIVE.—Messrs. Bartlett, Carpenter, Cloud, Court-

right, Craig, Crain, Cunningham, Davidson, Davis, Diarman, Dollens, Dubois, Edmonston, Elkin, English, Ewing, Hankins, Happy, Hardin, Harris, Hinshaw, Hogan, Lagow, Leary, Logan, McCown, Madden, Marrs, Minor, Minshall, Moore of McLean, Moore of St. Clair, Morton, Murphy of Perry, Murphy of Vermilion, Odam, Oneille, Pace, Paullen, Rawalt, Reddick, Richardson, Scarborough, Shields, Smith of Madison, Smith of Wabash, Somerville, Stuart, Stuntz, Thompson, Turley, Turney, Walker of Cook, Walker of Morgan, Webb Wheeler, Williams, Wilson, Witt, Wood, and Wyatt—61.

The question recurring upon the amendment proposed by Mr. Baker, it was decided in the negative by yeas and nays, upon the call of Messrs. Minshall and Dubois, as follows, to wit:

IN THE AFFIRMATIVE—

Messrs. Baker, Ball, Bartlett, Cloud, Copeland, Courtright, Crain, Cunningham, Diarman, Dougherty, Dubois, Dunbar, Dunn, Ewing, Hinshaw, Hunt, Lagow, Lincoln, Logan, Lyons, Minshall, Moore of St. Clair, Murphy of Vermillion, Naper, Paullen, Somerville, Stuart, Thompson, Voris, Webb, and Wheeler—31.

IN THE NEGATIVE—

Messrs. Atwater, Barnett, Carpenter, Connolly, Craig, Culom, Davidson, Davis, Dawson, Dollens, Edmonston, Edwards, Elkin, English, Green of Clay, Green of Greene, Hankins, Happy, Hardin, Harris, Hogan, Leary, McCormick, McCown, McMurtrie, Madden, Marrs, Minor, Moore of McLean, Morton, Murphy of Perry, Odam, Oneille, Pace, Rawalt, Reddick, Richardson, Scarborough, Shields, Smith of Madison, Smith of Wabash, Stuntz, Turley, Turney, Walker of Cook, Walker of Morgan, Watkins, Williams, Wilson, Witt, Wood, and Wyatt—52.

The resolution as amended was then adopted.

Message from the Governor, by A. P. Field, Esq. Secretary of State:

MR. SPEAKER:—I am directed by the Governor to lay before the House a written communication.

And he withdrew.

Mr. Naper presented the memorial of sundry citizens, purchasers of canal lands and lots, praying an extension of time for the payment of the same &c.

Which was read, and

On motion of Mr. Naper,

Referred to the Committee on Finance.

A message from the Senate by Mr. Prentiss, their assistant Secretary.

Mr. SPEAKER:

The Senate have passed a bill, entitled

"An act to suspend for a limited time, certain laws in relation to the Banks in this State,"

And ask the concurrence of the House of Representatives therein.

He then withdrew.

Mr. Moore of St. Clair, presented the petition of Geo. E. Walker, and others, citizens of St. Clair county, praying an act of incorporation to construct a Rail Road;

The reading of which, was,  
On his motion dispensed with, and  
Referred to a select committee.

*Ordered*, That Messrs. Moore of St. Clair, Stuntz, and Green of St. Clair, be that committee.

On motion of Mr. Richardson,

The vote heretofore taken on ordering to a second reading a bill for

"An act to incorporate the Apple Creek Navigation Company,

Was reconsidered, and

Said bill ordered to a second reading.

On motion of Mr. English, the rule of the House was dispensed with, and said bill was

Read the second time by its title; and

On motion of Mr. Witt,

Referred to a select committee.

*Ordered*, That Messrs. Witt, Richardson, and English, be that committee.

Mr. Stuart presented the petition of Harlan Hatch, praying the passage of a law authorising the Auditor of Public Accounts to receive from said Hatch, a certain number of maps, published by J. H. Colton, in lieu of those contemplated to be furnished to the State by said Hatch, agreeable to a subscription heretofore made by the State, &c.

The reading of which, was,

On his motion dispensed with, and

Referred to the Committee on Petitions.

Mr. Dougherty presented the petition of Henry Cruse and others, citizens of Marion county, praying a change in the location of the State Road from Jonesborough to Willard's Ferry;

The reading of which was dispensed with, and

Referred to a select committee.

*Ordered*, That Messrs. Dougherty, Diarman, and Odam, be that committee.

Mr. Lincoln, from the select committee to which was referred a bill for

“An act to extend the corporate powers of the President and Trustees of the town of Springfield,”

Reported the same back to the House without amendment.

*Ordered* to a third reading.

On motion of Mr. Edwards, the rule of the House was dispensed with, and said bill was

Read a third time by its title, and passed.

*Ordered* that the title be as aforesaid.

*Ordered*, That the Clerk carry said bill to the Senate, and ask their concurrence in the passage of said bill.

Mr. Hardin, from the committee on the Judiciary, to which had been referred a bill for

An act to amend an act, entitled “An act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties,”

Reported the same back to the House without amendment.

Mr. Walker moved to amend the bill, by striking out the words “not less than seventy-five cents per day,” and inserting the words “not more than one dollar and fifty cents per day.”

On motion of Mr. Dunbar,

Said amendment was amended by inserting the following: “Provided that no allowance shall be made under this act unless the respective county courts shall make an order to that effect, at each March term of the county courts.”

The question was then taken on the amendment as amended, and decided in the affirmative.

Mr. Webb moved further to amend said bill by striking out the word “shall,” and inserting the word “may.”

When,

On motion of Mr. Carpenter,

Said bill and proposed amendment were referred to a select committee of five.

*Ordered*, That Messrs. Carpenter, Dunbar, Walker of Morgan, Webb, and Murphy of Perry, be that committee.

Message from the Senate by Mr. Prentiss, their assistant Secretary:

Mr. SPEAKER:

The Senate have adopted the following resolution, to wit:

*Resolved by the Senate, (the House of Representatives concurring herein,) that the two Houses will adjourn sine die on the 22d instant, at 8 o'clock, A. M.,*

And ask the concurrence of the House of Representatives therein.

And he withdrew.

The bill for "an act supplementary to an act making appropriations for the years 1837 and 1838,"

Was read the second time, and

On motion of Mr. Moore of St. Clair,

Referred to the Committee on Public Accounts and Expenditures.

Mr. Richardson, from the select committee to which had been referred a bill for

"An act to amend an act concerning process, approved February 25th, 1837,"

Reported the same back to the House with amendments;

Which were read and concurred in.

*Ordered* to be engrossed for a third reading, as amended.

The resolution from the Senate proposing the adjournment *sine die*, of the two Houses of the Legislature, on Saturday the 22d instant,

Was read and concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Harris, from the select committee to which had been referred a bill for

"An act to locate a state road from Alton to Elias Gwinn's,"

Reported the same back to the House with an amendment;

Which was read, and concurred in.

*Ordered* to be engrossed for a third reading, as amended.

Mr. Witt, from the select committee to which had been referred the petition of James H. Weisner and others, praying that said Weisner may be confirmed in his title to a certain tract of land, the patent of which had been lost, reported a bill for

An act for the relief of James H. Weisner;

Which was twice read, and

*Ordered* to be engrossed for a third reading.

Mr. Turley, from the select committee to which had been referred the engrossed bill for

An act to locate a State road from Nelson, in Shelby county, to Leroy, in McLean county,

Reported the same back with an amendment;

Which was read and concurred in.

The bill then passed as amended.

On motion of Mr. Reddick,

The title of the bill was amended by inserting the word "East" before the word "Nelson."

*Ordered*, That the title be as amended, and that the clerk carry said bill to the Senate, and ask their concurrence in the passage thereof.

A message from the Senate by Mr. Prentiss, their Assistant Secretary.

Mr. SPEAKER:

The Senate have concurred with the House of Representatives in their amendments to the resolution from the Senate, having for its object, the appointment of a joint select committee, to enquire into the number and names of the Officers, Engineers, and Agents, appointed under an act to establish and maintain a general system of Internal Improvements, &c.

They have also concurred with the House of Representatives, in the passage of the bill from the House of Representatives, entitled "An act legalizing the location of the State road from Knoxville to New Boston.

He then withdrew.

Mr. Madden moved that the House adjourn, till two o'clock P. M.

Which was not agreed to.

The bill from the Senate, entitled

"An act to suspend for a limited time certain laws in relation to the Banks in this State,

Was twice read, and

On motion of Mr. Smith of Wabash,

Referred to the Committee of the Whole House and made the special order of the day for to-morrow.

On motion of Mr. Reddick,

The bill entitled "An act concerning the State bank of Illinois, and the amendment thereto, heretofore laid on the table, was taken up for consideration.

Mr. Paullen moved to amend said amendment by adding the following after the 7th section, to wit:

SEC. 8. And more effectually to secure to the State and people of Illinois their just dues, it is further enacted, that in ad-

dition to the avails which properly belong to the said State Bank and branches, the stockholders and officers of said bank shall be, and are hereby bound, jointly and severally, in their private and individual capacity, for the payment of all the debts due and owing, or which may hereafter become due from the said Bank to the State of Illinois, or any person or persons, body politic or corporate in this State."

Strike out all after the word "act," in the third line of the 5th section.

Change the numbers of sections 8, 9, 10, 11, to 9, 10, 11, 12.

On motion of Mr. Reddick,

The bill and proposed amendments were referred to the committee of the Whole House, and

Made the special order of the day for to-morrow.

A message from the Senate, by their Assistant Secretary, Mr. Prentiss.

MR. SPEAKER:

The Senate have passed bills of the following titles, viz:

"An act to re-locate the County seat of Calhoun county;"

"An act to amend an act, entitled 'An act to extend the corporate powers of the town of Peoria' approved February 21, 1837;"

"An act to locate a State road in Vermilion county;"

"An act to amend an act, entitled 'An act to amend an act concerning justices of the peace, and constables,' approved February 13th, 1827, and January 23d, 1829."

"An act to change the terms of the Courts in the third judicial circuit;"

"An act to relocate a State road leading from Shelbyville to Springfield;"

"An act supplemental to an act, entitled 'an act to locate a State road from Hardy Foster's, in Marion county, to Shelbyville, in Shelby county,' approved March 4th, 1837;"

"An act to incorporate the city of Alton;"

"An act for the benefit of Vesty Adeline Martin;" and

"An act to locate a State road from or near George R. Logan's, to Tecumseh, in White county."

In the passage of which several bills they ask the concurrence of the House of Representatives.

He then withdrew.

Mr. Edmonston, from the select committee to which had been referred the bill for

"An act authorizing the clerks of the county commissioners' court to list certain lands,"

Reported the same back with a substitute;

Which was read, and concurred in.

*Ordered* to be engrossed for a third reading.

Mr. Hankins, from the select committee to which had been referred the petition of Mary Evans, praying the passage of a law authorizing her to sell and convey a certain tract of land, reported a bill for

“An act for the relief Mary Evans;”

Which was read twice, and

*Ordered* to be engrossed for a third reading.

The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

The Speaker laid before the House a communication from the Governor, and accompanying document, which were read, and are as follow, viz:

EXECUTIVE DEPARTMENT, }  
Vandalia, July 17th, 1837. }

*To the Honorable the Speaker of the House of Representatives:*

In compliance with a resolution of the House of Representatives of the 15th instant, calling upon this Department for information in relation to the Wiggin's Debt, whether the State of Illinois is discharged from the payment of the same, and whether the bonds of the State are lifted, or not, I have the honor to state that the Bank did on the 15th day of June, 1836, enter into bond with the Executive to redeem the loan commonly called the Wiggin's Loan, in conformity with the act approved 16th February, 1836, and that the Bank has, in good faith, paid the interest due on said loan ever since.—The state is undoubtedly bound for the final payment of this debt, should the Bank fail to pay it. The bonds of the state are not lifted; nor were they required to be by the act above cited; and if such a requisition had been made, it could not have been accomplished, because State securities are of a



higher value than of Banks, and also because it is believed this bond is held out of the United States. A copy of the bond of the said Bank, to discharge said loan, is herewith endorsed.

I have the honor to be, sir,

Your obedient servant,

JOSEPH DUNCAN.

Know all men by these presents, That whereas by an act of the General Assembly of the State of Illinois, entitled "an act supplemental to an act to incorporate the subscribers to the Bank of the State of Illinois, approved January 16th 1836," it is enacted that certain rights and privileges in said act specified, conferred upon the State Bank of Illinois, but that said bank shall not be entitled to the benefits and provisions of said act, until the said Bank shall have entered into contract with the Governor of the State of Illinois; to redeem the loan, commonly called the Wiggins Loan, made by authority of the State on the 20th day of Jan. A. D. 1831; together with the interest to accrue on said loan after the passage of the act aforesaid. Now therefore, know ye, That I, Thomas Mather, President of the State Bank of Illinois aforesaid, in consideration of the premises, and to the end, that the said Bank may be entitled to the benefits and provisions of said act, by virtue of authority in me vested by the Board of Directors of said Bank, by an order of said Board, bearing date the ninth day of June, A. D. 1836, in the name and behalf of said Bank, have this day covenanted, agreed, and contracted, and by these presents do covenant, agree, and contract to, and with Joseph Duncan, Governor of the State of Illinois, aforesaid, and his successors, that said Bank will redeem the loan commonly called the Wiggins Loan, made by authority of the State, on the 29th day of January, A. D. 1831; together with the interest which has accrued on said loan since the passage of the act first above mentioned, and which may hereafter accrue on said loan, in manner and form, as the said State by the contract made, for the aforesaid loan, is now bound to do.



IN testimony whereof, I have hereunto set my hand and affixed the seal of said Bank, at their Banking House in Springfield, this fifteenth day of June, A. D. 1836.

THOMAS MATHER, *Pres't.*

On motion of Mr. Leary, said communication and accompanying documents were laid on the table.

The Speaker, also, laid before the House a communication from the Auditor of Public Accounts,

Which was read, and is as follows:

STATE OF ILLINOIS, AUDITOR'S OFFICE, }  
Vandalia, July 14th, 1837. }

*To the Hon. the Speaker of the  
House of Representatives:*

SIR:—In compliance with the resolution of the House of Representatives, requesting the Auditor to inform the House at what time the fifty thousand dollars named in his report of 13th instant was drawn by the Fund Commissioners, &c.; I have the honor to state, that the said fifty thousand dollars was drawn by the Fund Commissioners, on the 25th day of May, but to what objects this amount has been applied by the said Commissioners I am unable to inform the House. According to my understanding of the 20th, section of the act entitled "an act to establish and maintain a general system of Internal Improvement," and the "act concerning the Surplus Revenue," the whole amount of said Surplus Revenue which has been or may be received, is subject to the direct and immediate control of the Fund Commissioners, for the purposes mentioned in said acts. The amount of surplus revenue deposited by the Treasurer in the State Bank, was deposited to the "credit of the State of Illinois;" and for this reason could not properly be placed under the control of the Fund Commissioners, except by warrant of the Auditor. The Fund Commissioners therefore, adopted this as the most proper mode of drawing the money, and drew it under the provisions of the foregoing recited acts.

I have the Honor to be sir,

Your obedient servant,

LEVI DAVIS, Aud.

On motion of Mr. Moore of St. Clair,

Said communication was laid on the table.

The resolution from the Senate making it the duty of the Board of Public Works, appointed under the provisions of an act to establish and maintain a General System of Internal Improvements, approved Feb. 27th, 1837, to make quarterly report of the number of persons employed by said board, nature of their service, &c.

Was read and concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

The bills from the Senate of the following titles, to wit:

"An act to amend an act incorporating the Kaskaskia Bridge Company;"

"An act to locate a State road therein named;"

"An act to locate a State road from Apanoose, in Hancock county, to the Drowning Fork of Crooked Creek, in McDonough county, and to vacate part of a State road:"

"An act to amend an act to change the name of Watson James Filley, approved 16th Jan. 1837;"

"An act to legalize process in the Circuit Courts of this State;"

"An act to locate a State road in Vermilion county;"

"An act to repeal an act in relation to schools in township thirty-nine north, range fourteen east;"

"An act to amend an act, entitled 'an act to extend the corporate powers of the town of Peoria, approved Feb. 21, 1837;"

Were severally read the first time, and

*Ordered* to a second reading.

On motion,

The rule of the House of was dispensed with, and

Said bills were read the second and third times by their titles, and passed.

*Ordered*, That the titles of the bills be as aforesaid; and

That the clerk inform the Senate thereof.

The bills from the Senate of the following titles, to wit:

"An act to relocate part of a State road leading from Maysville to Shelbyville,"

"An act to relocate the county seat of Calhoun county,"

"An act to locate a State road from or near George R. Logan's to Tecumseh in White county,"

Were severally read twice, and

*Ordered* to a third reading.

The bill from the Senate, entitled

"An act for the relief of the purchasers of Canal Lands and lots,"

Was read twice; and

On motion of Mr. Leary,

Referred to the committee on Finance.

The bill from the Senate, entitled

"An act for the benefit of a person therein named,"

Was read twice; and

On motion of Mr. Naper,

Laid on the table.

The bill from the Senate, entitled

"An act concerning the recording of Conveyances,"

Was twice read; and

On motion of Mr. Richardson,

Referred to the Committee on the Judiciary.

The bill from the Senate entitled

"An act supplemental to an act entitled 'an act to locate a State Road from Hardy Foster's, in Marion county, to Shelbyville, in Shelby county, approved March 4th, 1837,"

Was read twice; and

On motion of Mr. Ewing,

Referred to a select committee.

*Ordered*, That Messrs. Ewing, Turley, and Stuart, be that committee.

The bill from the Senate, entitled

"An act to relocate a State road leading from Shelbyville to Springfield,"

Was read twice; and

On motion of Mr. Dougherty,

Referred to a select committee.

*Ordered*, That Messrs. Dougherty, Lyon, and Pace, be that committee.

The bill from the Senate, entitled

"An act to change the terms of the courts in the Third Judicial Circuit,"

Was read twice; and

On motion of Mr. Dougherty,

Referred to a select committee.

*Ordered*, That Messrs. Dougherty, Copeland, and Shields, be that committee.

The bill from the Senate, entitled

"An act to incorporate the city of Alton,"

Was read twice by its title; and

Mr. Murphy moved to refer the bill to the committee on the Judiciary.

Mr. Richardson moved to refer it to a select committee.

The question was taken on referring it to the committee on the Judiciary, and

Decided in the negative.

Mr. Hogan moved to refer the bill to the committee on corporations.

The question was then taken on referring the bill to a select committee; and

Decided in the negative.

The bill was then referred to the committee on Corporations.

The bill from the Senate entitled

"An act for the benefit of Vesty Adaline Martin,"

Was read; and

On the question, shall said bill be read a second time,

It was decided in the negative.

On motion of Mr. English,

The vote just taken refusing to read said bill a second time, was reconsidered.

The bill was then ordered to a second reading; and

On motion of Mr. Ewing,

Laid on the table.

The bill from the Senate, entitled

"An act to amend an act, entitled 'An act concerning justices of the peace and constables, approved February 13th, 1827,' approved January 23d, 1829,"

Was read twice, and

On motion of Mr. Cunningham,

Referred to a select committee.

Ordered, That Messrs. Cunningham, Crain, and Oneille be that committee.

The engrossed bills of the following titles, to wit:

"An act concerning the town of Cincinnati in the county of Tazewell;"

"An act concerning Calvin's Slough;"

"An act to change a part of a State road running from Vandalia to Jacksonville;"

"An act for publishing and distributing the reports of the supreme court of this State;"

An act concerning a State road in Edwards county;" and

"An act changing a certain State road;"

Were severally read the third time, and passed.

Ordered, That the titles of the bills be as aforesaid, and that the clerk carry the said bills to the Senate, and ask their concurrence in the passage thereof.

The bill from the Senate, entitled

"An act to authorize John Green and William Stadden to build a toll bridge across Fox river;"

Was read the third time, and passed.

*Ordered*, That the title be as aforesaid, and that the clerk inform the Senate of the passage thereof.

On motion of Mr. Reddick,

The vote heretofore taken on referring the bill for

“An act concerning the State Bank of Illinois,” and the proposed amendments thereto,

To a committee of the Whole House, and making it the special order of the day for to-morrow,

Was re-considered.

The question was then taken on referring said bill and proposed amendments to the committee of the Whole House, and making it the special order of the day for to-morrow,

And decided in the negative.

The question being on the amendment proposed by Mr. Paullin,

Mr. Voris called for a division of the question.

The question was then taken on striking out,

And decided in the affirmative.

The question was then taken on inserting said amendment,

And decided in the affirmative, by yeas and nays, upon the call of Messrs. Madden and Happy, as follows, to wit:

In the affirmative—

Messrs. Carpenter, Cloud, Copeland, Connolly, Courtright, Crain, Cunningham, Davidson, Davis, Diarman, Dollens, Edmonston, English, Ewing, Green, of Green, Hankins, Happy, Harris, Hinshaw, Huey, Lagow, Leary, Logan, McCown, McMurtry, Madden, Marrs, Minor, Minshall, Moore of McLean, Morton, Murphy, of Vermilion, Odam, Pace, Paullen, Reddick, Richardson, Scarborough, Shields, Smith of Madison, Somerville, Turley, Turney, Walker of Cook, Walker of Morgan, Webb, Wheeler, Whitten, Williams, Wilson, Witt, Wood, Wyatt, and Mr. Speaker—54.

In the negative—

Messrs. Aldrich, Atwater, Baker, Ball, Barnett, Bartlett, Bentley, Craig, Cullom, Dawson, Dubois, Dunbar, Dunn, Edwards, Elkin, Green of Clay, Hardin, Hogan, Hunt, Lincoln, Lyons, McCormick, Moore of St. Clair, Murphy, of Perry, Naper, Oneille, Rawalt, Smith of Wabash, Stuntz, Voris, and Watkins—30.

Mr. Lincoln moved to amend the amendment by adding the following to the 8th section: “before the said Bank resumes specie payments,”

Which was decided in the negative, by yeas and nays upon

the call of Messrs. Cloud and Moore of St. Clair, as follows, to wit:

In the affirmative,  
Messrs. Aldrich, Ball, Bartlett, Bentley, Cullom, Dawson, Edwards, Elkin, Hardin, Hogan, Hunt, Leary, Lincoln, Lyons, McCormick, Minshall, Moore of St. Clair, Murphy of Perry, Murphy of Vermilion, Naper, Oneille, Rawalt, Smith of Madison, Smith of Washash, Stuntz, Thompson, Turney, Voris, Watkins—29.

In the negative,  
Messrs. Atwater, Baker, Barnett, Carpenter, Cloud, Copeland, Conolly, Courtright, Craig, Crain, Cunningham, Davidson, Davis, Diarman, Dollens, Dougherty, Dubois, Dunbar, Dunn, Edmonston, English, Ewing, Green of Clay, Green of Greene, Hankins, Happy, Harris, Hinshaw, Huey, Lagow, Logan, McCown, McMurtrie, Madden, Marrs, Minor, Moore of McLean, Morton, Odam, Pace, Paullen, Reddick, Richardson, Scarborough, Shields, Somerville, Stuart, Turley, Walker of Cook, Walker of Morgan, Webb, Wheeler, Whitten, Williams, Wilson, Witt, Wood, Wyatt, and Mr. Speaker—59.

On motion of Mr. Smith of Madison,  
The amendment was further amended, by adding the following to the sixth section, viz: "And the liabilities of any individual, firm, or corporation, to the said Bank and branches, shall not hereafter exceed twenty-five thousand dollars, and no stockholder shall directly or indirectly, by himself or agent, be allowed to pledge or hypothecate, his or her stock, or any part thereof, to said Bank or branches, for the purpose of drawing from the same:—The said Bank and branches shall keep a book and shall enter, or cause to be entered therein all notes, and bills of exchange, and other evidences of debt, presented for discount or exchanges, the day and date, when presented, the date of such notes or bills of exchange, when, where, and to whom payable, with the names of the drawer or drawers, endorser or endorsers, and whether the same was discounted or not, which book shall be at all times subject to examination by the stockholders, Bank Commissioners, or any person or persons appointed by the Legislature to examine the same."

On motion of Mr. Reddick,  
The amendment was further amended by striking out the words "sixty days" in the fourth line of section four and inserting the following viz: "the same period or length of time, and rates of interest for which the original notes or evidences of debt were given." Also the sixth line of the same section, by striking out the words "at sixty days."

Mr. Madden moved to further amend by adding the following, "The General Assembly hereby reserves, and the said Bank admits the right and power of said Assembly, if the public good shall require it, to hereafter modify, amend or repeal, the act of the 12th of February, 1835 incorporating said Bank, and all other acts supplemental thereto:—And it is further provided that this act shall not take effect in favor of the said Bank unless it shall signify its assent to each and every provision thereof; which said assent shall be given in twenty days after the passage thereof, by an agreement to the same under its corporate seal, to be deposited with the Secretary of State."

Mr. Smith of Wabash called for a division of the question;

The question was then taken on so much of the proposed amendment as is contained in the following words, to wit: "The General Assembly hereby reserves, and the said Bank admits the right and power of the said Assembly, if the public good shall require it, to hereafter modify, amend, or repeal, the act of the 12th of February, 1835, incorporating said Bank, and all other acts supplemental thereto," and

Decided in the affirmative by yeas and nays, upon the call of Messrs. Hardin and Bentley, as follows, to wit:

In the affirmative,

Messrs. Aldrich, Baker, Ball, Bartlett, Bentley, Carpenter, Cloud, Copeland, Connolly, Courtright, Craig, Crain, Cunningham, Davis, Diarman, Dollens, Dougherty, Edmonston, English, Ewing, Green of Clay, Green of Greene, Hankins, Happy, Harris, Hinshaw, Huey, Logan, Lyons, McCown, Madden, Marrs, Minor, Minshall, Morton, Murphy of Vermilion, Odam, Paullen, Reddick, Richardson, Somerville, Turley, Walker of Morgan, Webb, Wheeler, Whitten, Williams, Witt, Wyatt, and Mr. Speaker—50.

In the negative,

Messrs. Atwater, Cullom, Davidson, Dawson, Dubois, Dunbar, Dunn, Edwards, Elkin, Hardin, Hogan, Hunt, Lagow, Leary, Lincoln, McMurtry, Moore of McLean, Moore of St. Clair, Murphy of Perry, Oneille, Pace, Rawalt, Scarborough, Shields, Smith of Madison, Smith of Wabash, Stuart, Stuntz, Thompson, Turney, Voris, Walker of Cook, Watkins, Wilson, and Wood—35.

The question was then taken on the balance of said amendment, and

Decided in the affirmative.

Mr. Dunbar moved to lay the bill and amendments on the table till the fourth of July next;

Which was not agreed to.

The yeas and nays being called for on this question, by Messrs. Cullom and Aldrich, are as follows, to wit:



In the affirmative,

Messrs. Aldrich, Atwater, Baker, Ball, Bartlett, Bentley, Cloud, Craig, Crain, Cullom, Davidson, Dawson, Dougherty, Dubois, Dunbar, Dunn, Elkin, Green of Clay, Hardin, Hogan, Hunt, Lagow, McMurtry, Moore of McLean, Murphy of Perry, Murphy of Vermilion, Oneille, Pace, Rawalt, Scarborough, Smith of Wabash, Stuart, Stuntz, Thompson, Turney, Voris, Webb, Williams, Wilson, and Mr. Speaker—40.

In the negative,

Messrs. Barnett, Carpenter, Copeland, Connolly, Court-right, Cunningham, Davis, Diarman, Dollens, Edmonston, Edwards, English, Ewing, Green of Greene, Hankins, Happy, Harris, Hinshaw, Huey, Leary, Lincoln, Logan, Lyons, McCown, Madden, Marrs, Minor, Minshall, Moore of St. Clair, Morton, Odam, Paullen, Reddick, Richardson, Shields, Smith of Madison, Somerville, Turley, Walker of Cook, Walker of Morgan, Watkins, Wheeler, Whitten, Witt, Wood, and Wyatt—46.

Mr. Wood moved that the House adjourn;

Which was not agreed to.

Mr. Moore of St. Clair moved to amend the bill by striking out the whole of said amendments, and inserting the following as an amendment to the original bill.

Sec. 3. The said bank shall not at any time call in a greater amount of the debts of said bank, than per cent. every four or seven months: *Provided*, That, should there be evident danger of the loss of any debt due said bank, they may call in the amount of said debt, or require landed or other collateral security for the payment of the same.

Which was not agreed to.

Mr. Walker of Morgan moved that the House adjourn;

Which was not agreed to.

The question being on the amendment of Mr. Shields, as amended.

Mr. Webb called for a division of the question.

The question was then taken on striking out the original bill, and

Decided in the affirmative.

The question was then taken on inserting the amendment proposed by Mr. Shields as amended, and

Decided in the affirmative:

Whereupon,

On motion of Mr. Shields,

Said bill, as amended, was referred to a select committee of seven.

*Ordered*, That Messrs. Shields, Paullen, Madden, Smith of Madison, Ewing, Courtright, and Happy be that committee.

On motion of Mr. Ewing,

The bill, entitled

"An act to repeal certain laws relative to the permanent location of the seat of Government of the State of Illinois, approved February 25th, and March 3d, 1837, and for other purposes,"

Heretofore laid on the table,

Was taken up for consideration.

And then the House adjourned.

TUESDAY, July 18, 1837.

The House met pursuant to adjournment.

Mr. Madden, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, viz:

"An act to incorporate the Illinois Female Institute;"

"An act concerning public roads;"

"An act forming an additional justice's district, in the county of Randolph;" and

"An act legalising the location of the State road from Knoxville to New Boston."

On motion of Mr. Ewing,

*Resolved*, That William G. Flood be, and he is hereby appointed Clerk of the House *pro tempore*, to take effect from the commencement of this session, and that he be authorised to employ such additional aid as will enable him to finish the business as soon as the Legislature is ready to adjourn.

Mr. Williams, from the Committee on Finance, to which had been referred the bill from the Senate entitled

"An act for the relief of the purchasers of canal lands and lots," and the petition in relation thereto,

Reported the said bill back with amendments;

Which amendments were read and concurred in.

Mr. Atwater moved to amend the bill by striking out the words "those periods respectively," and inserting the word "now" before the word "due;"

Which was not agreed to.

*Ordered* to a third reading as amended.

Mr. Dunbar, from the Committee on Education, to which had been referred a bill for

"An act for the distribution of the school fund, and to establish a uniform system of common schools,"

Reported the same back to the House without amendment.

*Ordered* to be engrossed for a third reading.

On motion of Mr. Ewing,

The special order of the day on the bank bill was postponed.

The question pending when the House adjourned yesterday evening, being on ordering the bill entitled

"An act to repeal certain laws relative to the permanent location of the Seat of Government of the State of Illinois, approved February 25th, and March 3d, 1837, and for other purposes,"

To be engrossed for a third reading,

Again coming up for consideration,

Mr. Minshail moved to lay said bill on the table till the 4th day of July next; when,

On motion of Mr. Shields,

Said bill was referred to the Committee of the Whole, and made the special order of the day for this day at 2 o'clock.

Message from the Senate by Mr. Prentiss, their assistant Secretary,

MR. SPEAKER:

The Senate have passed a bill, entitled,

"An act further supplemental to an act to establish and maintain a general system of Internal Improvements."

In the passage of which they ask the concurrence of the House of Representatives.

Also the Senate have received the enclosed Communication from the Inspectors of the Penitentiary, and directed me to lay the same before the House of Representatives.

He then withdrew.

On motion

The House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Madden, from the Committee on enrolled bills reported that on this day they laid before the Council of Revision, bills of the following titles; to wit:

"An act concerning Public Roads;"

"An act to incorporate the Illinois Female Institute;"

"An act forming an additional Justices District in the county of Randolph;" and

"An act legalizing the location of the State Road from Knoxville, to New Boston;"

Mr. Williams moved to discharge the committee of the whole House from the consideration of the bill for an act to repeal certain laws relative to the permanent location of the seat of Government of the State of Illinois, approved Feb. 25th, and March 3rd, 1837; and for other purposes.

Which was not agreed to.

The House then according to order resolved itself into a committee of the whole House on said bill, and after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Williams reported that the committee of the whole House had had said bill under consideration, and had amended the same by striking out all after the enacting clause, and ask the concurrence of the House in said amendment.

The question was then taken on concurring with the committee of the Whole House, in their report, and

Decided in the affirmative by yeas and nays, upon the call of Messrs. Ewing and Bentley, as follows, to wit:

In the affirmative,

Messrs. Aldrich, Atwater, Baker, Ball, Barnett, Bartlett, Connolly, Courtright, Craig, Crain, Cullom, Davis, Dawson, Dougherty, Dubois, Dunbar, Edmonston, Edwards, Elkin, English, Green of St. Clair, Hardin, Harris, Hunt, Lagow, Leary, Lincoln, McMurtry, Minor, Minshall, Moore of McLean, Moore of St. Clair, Murphy of Vermilion, Naper, O'Neill, Paullen, Rawalt, Reddick, Scarborough, Shields, Smith of Wabash, Stuart, Stuntz, Thompson, Turney, Watkins, Webb, Wheeler, Williams, Wilson, and Witt—52.

In the negative,

Messrs. Bentley, Carpenter, Cloud, Copeland, Davidson,

Diarman, Dollens, Dunn, Ewing, Green of Clay, Green of Greene, Hankins, Happy, Hogan, Huey, McCown, Madden, Marrs, Morton, Odam, Pace, Smith of Madison, Turley, Voris, Walker of Cook, Walker of Morgan, Whitten, Woods, Wyatt and Mr. Speaker—30.

Mr. Ewing moved to amend the bill as follows, to wit:

"That so much of the act permanently to locate the seat of Government of the State of Illinois, making an appropriation for building a State House in Springfield, be, and the same is hereby repealed.

Mr. Lincoln moved to lay said bill and proposed amendment on the table, till the 4th day of July next.

Mr. Reddick moved to refer the bill to a select committee of five.

The question was then taken on the motion of Mr. Lincoln, and

Decided in the negative.

The bill and proposed amendment, were then referred to a select committee of five.

*Ordered*, That Messrs. Reddick, Ewing, Lincoln, Voris and Turney, be that committee.

The House now resolved itself into a committee of the Whole House, according to special order, being on the bill from the Senate, entitled

"An act to suspend for a limited time certain laws in relation to the banks in this State;

And after some time spent therein, the Speaker resumed the Chair.

Mr. Dawson reported that the committee of the Whole House had had said bill under consideration, and had amended the same by striking out all after the enacting clause; and ask the concurrence of the House in said amendment.

Mr. Ewing moved to lay said bill, with the report of the committee of the Whole House upon the table till the 4th day of July next; which was

Decided in the negative, by yeas and nays, upon the call of Messrs. Williams and Rawalt, as follows, to wit:

In the affirmative,

Messrs. Barnett, Cloud, Copeland, Courtright, Crain, Davidson, Davis, Diarman, Dollins, Edmonston, English, Ewing, Green of Greene, Hankins, Happy, Harris, Huey, McCown, Madden, Marrs, Minshall, Morton, Odam, Pace, Paullen, Reddick, Richardson, Scarborough, Thompson, Walker of Cook, Webb, Wheeler, Whitten, Williams, Wood, and Mr. Speaker—36.

In the negative,

Messrs. Aldrich, Atwater, Baker, Ball, Bartlett, Bentley, Carpenter, Connolly, Craig, Cullom, Cunningham, Dawson, Dougherty, Dubois, Dunbar, Dunn, Edwards, Elkin, Green of Clay, Green of St. Clair, Hardin, Hinshaw, Hogan, Hunt, Lagow, Leary, Lincoln, Logan, McMurtry, Moore of McLean, Moore of St. Clair, Murphy of Perry, Murphy of Vermilion, Naper, Oncille, Rawalt, Shields, Smith of Madison, Smith of Wabash, Somerville, Stuart, Stuntz, Turley, Voris, Walker of Morgan, Watkins, Wilson, Witt, and Wyatt—49.

Mr. Madden moved to refer the bill and the report of the committee of the whole house to the same select committee to which had been referred the bill of the House upon the same subject.

Mr. Carpenter moved to refer the same to a select committee of seven.

The question was then taken on Mr. Madden's motion, and

Decided in the negative.

The bill and report were then referred to a select committee of seven.

*Ordered*, That Messrs. Carpenter, Bartlett, Cullom, Edmonston, Dougherty, Williams, and Watkins, be that committee.

The bill from the Senate, entitled

"An act further supplemental to an act to establish and maintain a general system of Internal Improvements,"

Was read twice, and

Mr. Dubois moved to refer the bill to the Committee on the Judiciary.

Mr. Richardson moved to lay the bill on the table.

Mr. Dougherty moved to refer it to the Committee on Internal Improvements.

The question was then taken on Mr. Dubois' motion, and

Decided in the negative.

The question was then taken on the motion of Mr. Richardson, and

Decided in the negative.

The bill was then referred to the committee on Internal Improvements.

The Speaker laid before the House a communication from the inspectors of the Penitentiary, relative to the conduct of the Warden to said institution;

Which was read, and

On notice of Mr. Ewing.

Referred to the Committee on the Penitentiary.

The bills from the Senate, entitled

"An act to relocate part of the State road leading from Maysville to Shelbyville;"

"An act to locate a State road from or near George R. Logan's to Tecumseh, in White county;"

Were read the third time and passed.

*Ordered*, That the titles of the bills be as aforesaid, and that the Clerk inform the Senate thereof.

The engrossed bills, entitled

"An act for legalizing the incorporation of the town of Beardstown;"

"An act concerning the public revenue;"

"An act to legalize certain terms of the Circuit Courts in the Seventh Judicial Circuit;"

"An act to change part of a road therein named;"

"An act to amend an act to incorporate the Chicago and Fox River Turnpike Road Company," approved March 1st, 1837;"

"An act authorizing the Clerks of the County Commissioners' Court, to list certain lands;"

"An act for the relief of James H. Weisner;"

"An act to locate a State road from Alton to Elias Gwinn's" and

"An act for the relief of Mary Evans;"

Were severally read the third time and passed.

*Ordered*, That the titles of the bills be as aforesaid, and that the Clerk carry said bills to the Senate, and ask their concurrence in the passage of said bills.

The bill from the Senate, entitled

"An act to relocate the county seat of Calhoun county,"

Was read the third time, and

On motion of Mr. Witt,

Referred to a select committee.

*Ordered*, That Messrs. Witt, Wilson and Lagow, be that committee.

The engrossed bill, entitled

"An act declaring a certain road in McLean county a State Road,"

Was read the third time.

On motion of Mr. Moore of McLean,

Said bill was amended by adding the following, to wit:

SEC. 2. Every free white male person, between the age of

twenty-one years, shall perform and labor under the direction of the Supervisor of the road district in which he may reside, any law to the contrary notwithstanding, *Provided, however,* That if any person shall claim to be exempt from road labor, on account of bodily infirmity or other disability to labor, and shall produce a certificate to the supervisor, from the clerk of the County Commissioners' Court, stating that he is unable to perform road labor, in which case, (but in no other) the supervisor shall be authorized to exempt such person from road labor.

SEC. 3. The County Commissioners are hereby authorized and required, at any regular or special term of their respective courts, to examine any person or persons under oath, who shall make application to be exempt from road labor; and if said court shall be satisfied of the inability of such applicant to perform labor, the clerk shall then be authorized to give a certificate of exemption to such applicant.

SEC. 4. Any supervisor, who shall, under color of his office, exempt or discharge from road labor any person within his district who is not entitled to such exemption or discharge, shall be fined in any sum not exceeding fifty dollars, nor less than five dollars for each and every offence; which shall upon the complaint of any person or persons, be recoverable before any justice of the peace of the proper county, in the name of the county commissioners, and shall be applied to road purposes within the district of said supervisor.

Change section 2 in the bill to section 5.

When,

On motion of Mr. Pace,

Said bill as amended was referred to the Committee on Roads and Canals.

The engrossed bill, entitled

"An act to amend an act concerning process," approved February 25, 1837,

Was read the third time and passed.

On motion of Mr. Dunbar,

The bill was amended by adding thereto, "and for other purposes."

Ordered, That its title be as amended, and that the clerk carry said bill to the Senate, and ask their concurrence in the passage thereof.

The bill entitled,

"An act to incorporate the town of Caledonia,"



Was read the second time, and  
 On motion of Mr. Turney,  
 Referred to the committee on corporations.  
 The bill entitled

"An act to locate a State road from Danville to Chicago,  
 and from Juliet to the State line,"

Was read the second time, and  
 On motion of Mr. Courtright,  
 Referred to a select committee.

*Ordered*, That Messrs. Courtright, Walker of Cook, and  
 Scarborough, be that committee.

The bills, entitled

"An act to incorporate the Centreville Steam Mill Compa-  
 ny," and

"An act to locate a State road from Salem, in Marion coun-  
 ty, to Charleston, in Coles county,"

Were read the second time, and  
*Ordered* to be engrossed for a third reading.

The bill, entitled

"An act for the benefit of the heirs of John Albert Jones,"

Was read the second time, and

On motion of Mr. Stuart, referred to the Committee on Pe-  
 titions.

The bill for

"An act to prevent disasters on Steamboats navigating the  
 waters within the jurisdiction of Illinois,"

Was read the second time, and

On motion of Mr. Smith of Wabash,

Referred to the Committee on Internal Improvements.

The bill for

"An act to encourage education in the township five south,  
 range six, east of the third principal meridian,"

Was read the second time.

On motion of Mr. Carpenter,

Said bill was amended by adding the following as an addi-  
 tional section:

Sec. 4. It shall be the duty of the judges and clerk of  
 election to be held in the township for or against the town-  
 ship's being incorporated under the provision of the fourth  
 section of the "act to amend the several acts in relation to  
 common schools," to open polls for and against the reception  
 of the provision of this act; and the same majority shall be  
 required in favor of the reception of the provisions of this

act, as is required for the township to be incorporated; and if said majority shall not be obtained this act shall be void.

*Ordered* to be engrossed as amended.

The bill for

“An act to amend the acts therein mentioned,”

Was read the second time, and

On motion of Mr. Whitten,

Referred to a select committee.

*Ordered*, That Messrs. Whitten, Hinshaw, and Hunt, be that committee.

The bill, entitled

“An act to authorize Rhoda Hart and others to sell and convey certain real estate,”

Was read the second time, and

On motion of Mr. Moore of St. Clair,

Referred to the Committee on the Judiciary.

The bill for

“An act for the purposes therein named, and for other purposes,”

Was read the second time, and

On motion of Mr. Walker of Morgan,

Referred to a select committee.

*Ordered*, That Messrs. Walker of Morgan, Smith of Wabash, and Logan, be that committee.

The bill for

“An act to repeal a certain act therein named,”

Was read the second time.

Mr. Pace moved to refer the bill to the Committee on Internal Improvements;

Which was not agreed to:

When,

On motion of Mr. Happy,

The bill was referred to the Committee on the Judiciary.

Mr. Edwards moved that the House adjourn;

Which was not agreed to.

The bill for

“An act to prevent members of the Legislature from holding offices under the Board of Public Works, or the Board of Canal Commissioners,”

Was read the second time.

Mr. Moore of St. Clair moved to amend the bill by adding the following, viz:

Sec. No member of the General Assembly shall hereaf-

ter be eligible to be elected to, or to hold any office or appointment within the gift of the Legislature, or of the Governor and Senate, or Governor during the recess of the Legislature, during the time for which they shall have been elected: *Provided*, The above act shall not apply to Engineers: and

On motion of Mr. Happy,

The amendment was amended by adding the following, to wit:

Nor shall any member of the General Assembly be eligible to hold any office or appointment, under the directors of the State Bank of Illinois, or any of its branches, or under the directors of the Bank of Illinois at Shawneetown, after the State shall have become a stockholder in said last mentioned bank, during the time for which said members have been elected.

Mr. Happy moved to further amend said amendment by adding the words "and Clerks," after the word "Engineers," in the proviso;

Which was not agreed to.

Mr. Baker moved to amend further, by striking out the proviso, and inserting the following, to wit:

*Provided*, The provisions of this act shall not apply to any officer who may have heretofore been employed in that capacity by the Board of Public Works;

Which was not agreed to.

The question recurring upon the amendment of Mr. Moore of St. Clair, as amended,

Mr. Webb called for a division of the question, so as to take the vote on the proviso first.

The question was then taken on said proviso, and

Decided in the negative, by yeas and nays, upon the call of Messrs. Paullen and Reddick, as follow, to wit:

In the affirmative,

Messrs. Ball, Barnett, Connolly, Dawson, Dubois, Edwards, Elkin, Hogan, Hunt, Lagow, Lincoln, McMurtry, Moore of St. Clair, Murphy of Perry, Rawalt, Reddick, Smith of Madison, Stuntz, Turney, Watkins, Williams, Wilson, and Wood—23.

In the negative,

Messrs. Baker, Bartlett, Bentley, Carpenter, Cloud, Copeland, Courtright, Craig, Crain, Cullom, Cunningham, Davidson, Davis, Diarman, Dollins, Dougherty, Dunbar, Edmonston, English, Ewing, Green of Clay, Green of St. Clair, Green of Greenc, Hankins, Happy, Hardin, Hinshaw, Huey, Logan, Leary, McCown, Madden, Marrs, Minor, Minshall, Moore of McLean, Morton, Murphy of Vermilion;

Odum, Oneille, Pace, Paullen, Richardson, Scarborough, Stuart, Turley, Voris, Walker of Cook, Walker of Morgan, Webb, Whitten, Witt, Wyatt, and Mr. Speaker—54.

The question was then taken on the balance of the amendment of Mr. Moore of St. Clair, as amended, and

Decided in the affirmative.

The bill as amended was ordered to be engrossed for a third reading.

The bill for

“An act to locate a State road from Canton to Knoxville, and for other puposes,”

Was read the second time, and

On motion of Mr. Rawalt,

Referred to a select committee.

*Ordered*, That Messrs. Rawalt, McMurtry, and Craig, be that committee.

The bill for

“An act to incorporate the Caledonia Rail Road Company,”

Was read a second time; and

On motion of Mr. Turney,

Referred to the Committee on Corporations.

A bill for

“An act to repeal an act concerning the surplus revenue,”

Was read a second time; and

On motion of Mr. Leary,

Referred to the committee on Finance.

The bill for

“An act for the relief of Samuel A Smallwood,”

Was read the second time, and

On motion of Mr. Reddick,

Referred to a select committee.

*Ordered*, That Messrs. Reddick, Webb, and Morton, be that committee.

The bill for

“An act authorising an additional Constable in Fayette county,”

Was read a second time; and

On motion of Mr. Happy,

Referred to a select committee.

*Ordered*, That Messrs. Happy, Ewing, and McCown, be that committee.

The bill for

“An act to amend an act to provide for the election of Probate Justices of the Peace,”

Was read the second time; and  
*Ordered* to be engrossed for a third reading.  
 The bill for

"An act concerning bail in criminal cases,"  
 Was read the second time.

Mr. Hardin moved to lay said bill on the table;  
 Which was not agreed to.

*Ordered* to be engrossed for a third reading.  
 The bill for

"An act to establish the county of Marshall,"  
 Was read the second time.

Mr. Wilson moved to amend said bill as follows, to wit:

Strike out all after the word "aforesaid," in the 11th line,  
 to the word "to" in the nineteenth line, and insert the follow-  
 ing: "To the corner of section nine and ten, and fifteen and  
 sixteen in township eighteen north, of range five west; thence  
 west along the section line between sections nine and sixteen,  
 to the corner of sections nine and ten, and fifteen and six-  
 teen, in township eighteen north of range six east; thence  
 south on the line between sections fifteen and sixteen."

When,

On motion of Mr. Dawson,  
 The bill and proposed amendments,  
 Were referred to a select committee.

*Ordered*, That Messrs. Dawson, Wilson and McCormick,  
 be that committee.

The bill for

"An act to create the county of Adair, and for other pur-  
 poses,"

Was read the second time.

Mr. Craig moved to refer the bill to a select committee.

Mr. Paullen moved to refer it to the Committee on Peti-  
 tions.

The question was then taken on referring it to a select  
 committee,

And decided in the affirmative.

*Ordered*, That Messrs. Craig, Paullen and Aldrich, be that  
 committee.

Mr. Smith of Madison, from the Committee on the Peni-  
 tentiary, reported a bill for

"An act in relation to the Penitentiary,"

Which was read twice, and

On motion of Mr. Murphy of Vermilion,

Referred to the Committee on the Judiciary.  
And then the House adjourned.

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WEDNESDAY, July 19th, 1837.

The House met pursuant to adjournment.

A message from the Governor, by Mr. Field, Secretary of State:

MR. SPEAKER:

I am directed by the Governor, to lay before the House a written communication.

He then withdrew.

A message from the Senate, by Mr. Prentiss, Assistant Secretary:

MR. SPEAKER:

The Senate have passed bills of the following titles, viz:

"An act to incorporate the town of Jerseyville,"

"An act to amend an act, entitled 'an act appropriating the residue of the Vermilion Saline lands, to the counties of Iroquois and Vermilion, for the purpose of building a bridge across the Iroquois and Big Vermilion rivers;'"

"An act to locate a State road in Shelby county;"

"An act to locate certain State roads therein named;"

"An act relative to the duty of county Treasurers and Sheriffs;"

"An act to locate a State road from Petersburg, in Sangamon county, to McComb, in McDonough county;"

"An act to incorporate the town of Ottawa, and for other purposes;"

"An act to attach the county of Livingston to the Seventh Judicial Circuit;" and

"An act to amend an act, entitled 'An act concerning practice in Courts of law,' approved 29th of January, 1827.

In the passage of which several bills they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in the passage of bills of the following titles, viz:

"An act to vacate certain town plats;"

"An act to change the name of the town of Centreville;"

"An act for the purposes therein named;"

"An act to change the name of Thomas Jefferson Sanders, and Francis Hood;"

"An act to change a State road leading from Rushville to Carthage;"

"An act to re-establish a certain road therein named;"

"An act to relocate a State road in Edgar county;"

"An act to establish a State road from Beardstown, in Cass county, to Petersburg, in Sangamon county;"

"An act to change a part of the State road running from Vandalia to Jacksonville."

They have laid on the table until the 4th day of July next, the resolution from the House of Representatives, having for its object to recommend to the electors of the State of Illinois, at the next general election for Representatives, to vote for or against a convention to amend the Constitution of this State.

They have concurred with the House of Representatives in the passage of the bill, entitled

"An act to locate a certain road therein named," as amended by them, and ask the concurrence of the House of Representatives in their amendments to the said bill.

He then withdrew.

Mr. Cloud, from the Committee on Corporations, to which had been referred a bill, entitled

"An act to incorporate the City of Alton,"

Reported the same back without amendment.

On his motion,

Said bill was referred to the Committee of the Whole House, and

The House now resolved itself into a Committee of the Whole House on said bill, and after some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Cloud reported that the Committee of the Whole House had according to order, had said bill under consideration, and had made sundry amendments thereto, and directed him to ask the concurrence of the House in said amendments.

Said amendments were then severally read and concurred in.

*Ordered* to a third reading as amended.

On motion of Mr. Hogan,

The rule of the House was dispensed with, and said bill was read the third time by its title, and passed.

*Ordered*, That the title be as aforesaid, and that the Clerk carry said bill to the Senate, and ask their concurrence in the passage thereof.

Mr. Cloud, from the Committee on Corporations, to which had been referred the bill, entitled

"An act to incorporate the Alton Ferry Company,"

Reported the same back to the House without amendment.

On motion of Mr. Hogan,

Said bill was amended by striking out 10,000, and inserting 25,000.

*Ordered* to be engrossed for a third reading as amended.

On motion of Mr. Hogan,

The rule of the House was dispensed with, and

Said bill was read the third time now by its title, and passed.

*Ordered*, That the title of said bill be as aforesaid, and that the Clerk carry the same to the Senate, and ask their concurrence in the passage thereof.

Mr. Turney, from the Committee on Corporations, to which had been referred a bill for

"An act to incorporate the Caledonia Rail Road Company,"

Reported the same back to the House with amendments;

Which were read and concurred in.

*Ordered* to be engrossed for a third reading, as amended.

On motion of Mr. Ewing,

The rule of the House was dispensed with, and

Said bill was read a third time now by its title; and

On motion of Mr. Dougherty,

Amended by inserting after the name of "John A. McClermand," in first section, the following names, to wit: "Willis Wilton, James L. Hodges, James Reed, Michael Cæsar, and Winstead Davie."

The bill then passed as amended.

*Ordered*, That the title be as aforesaid, and that the clerk carry the same to the Senate, and ask their concurrence in the passage thereof.

Mr. Dougherty, from the Committee on the Judiciary, to which had been referred the bill, entitled

"An act concerning justices of the peace and constables,"

Reported the same back to the House without amendment.

*Ordered* to be engrossed for a third reading.

On motion of Mr. Hardin,

The rule of the House was dispensed with, and said bill was now read the third time by its title.



On motion of Mr. Dawson,

Said bill was amended by adding the following as an additional section:

"Sec. Hereafter, the county commissioners of the several counties in this State shall be entitled to the sum of two dollars and fifty cents, as a per diem allowance, for every day necessarily employed in holding the courts of their respective counties."

Mr. Edmonston moved to refer said bill to a select committee of five;

Which was not agreed to.

The bill then passed as amended.

On motion of Mr. Hardin,

The title of the bill was amended by adding the words "and county commissioners."

*Ordered*, That the title be as amended, that the clerk inform the Senate of the passage of said bill, and ask their concurrence therein.

Mr. Cloud, from the Committee on Roads and Canals, to which was referred that part of the Governor's message in relation to the Illinois and Michigan Canal, reported

That they had had the subject under consideration, and believe that upwards of forty thousand dollars, shown to have been expended in the construction of the Kankakee road (as shown in the report of the late Board of Canal Commissioners,) was unnecessary, and without the warrant of law. The committee, therefore, offer for adoption the following resolution, viz:

*Resolved by the House of Representatives*, (the Senate concurring herein) That the Auditor of Public Accounts is hereby authorized and required to audit and settle the accounts of the late Board of Canal Commissioners, and that he report the proceedings had thereon to the next General Assembly of the State.

The question was then taken on the adoption of said resolution, and decided in the affirmative.

*Ordered*, That the clerk inform the Senate of the adoption of said resolution, and ask their concurrence therein.

Mr. Richardson, from the Committee on the Judiciary, to which had been referred a bill for

"An act to authorize Rhoda Hart and others to sell and convey certain real estate,"

Reported the same back without amendment.

The question was then taken on engrossing the bill for a third reading, and

Decided in the negative.

Mr. Turney, from the Committee on Corporations, to which had been referred a bill, entitled

"An act to incorporate the town of Caledonia,"

Reported the same back without amendment.

Ordered to be engrossed for a third reading.

Mr. Lincoln, from the select committee to which had been referred a certain petition, reported a bill for

"An act to re-locate a part of the State road leading for William Crow's, in Morgan county, to Musick's Bridge, in Sangamon county;"

Which was read twice.

On motion of Mr. Oncille,

Said bill was amended by adding the following:

Sec. 5. *And be it further enacted*, That Samuel K. Miller, James Fyffe, and James Lanterman, be and they are hereby appointed commissioners to view and locate a State road leading from Lawrenceville to Russellville, in Lawrence county.

Sec. 6. The said commissioners shall meet in Lawrenceville, on or before the second Monday in August next, or as soon thereafter as convenient, and after being duly sworn by some justice of the peace impartially to locate the same, they shall commence at Lawrenceville, thence by James Nabb's bridge across the Embarrass river to the Centre School House in Albion Prairie, and from thence to Russellville on the most convenient and practicable ground, doing as little injury to private property as possible.

Sec. 7. The said commissioners, as soon as convenient, shall cause to be filed with the clerk of the county commissioners' court of Lawrence county, a report and complete map of said road; which report and map shall be preserved, and shall form a part of the record of said court. Said road, when so established, shall be kept in repair as other State roads are; and the county commissioners' court of Lawrence county shall allow the said viewers not more than one dollar and fifty cents per day for their services.

Said bill, as amended, was ordered to be engrossed for a third reading.

Mr. Leary, from the select committee to which had been referred a bill for

"An act in relation to the county of Livingston,"

Reported the same back with an amendment;  
Which was read and concurred in, and  
The bill was ordered to be engrossed for a third reading.  
On motion of Mr. Leary,

The rule of the House was dispensed with, and said bill  
was read the third time by its title, and passed.

On motion of Mr. Leary,

The title of the bill was amended so as to make it

"An act in relation to the Municipal Court of Chicago, and  
for other purposes."

*Ordered*, That the title of the bill be as amended, that the  
Clerk inform the Senate of the passage of the same and ask  
their concurrence therein.

Mr. Reddick, from the select committee to which had been  
referred a bill for

"An act to repeal certain laws in relation to the permanent  
location of the Seat of Government of the State of Illinois, ap-  
proved February 25th, and March 3d, 1837, and for other  
purposes,"

Reported the same back with amendments.

Which were read and concurred in.

*Ordered* to be engrossed for a third reading as amended.

Mr. Rawalt, from the select committee to which had been  
referred a bill for

"An act to locate a State road from Canton to Knoxville,  
and for other purposes,"

Reported the same back with an amendment;

Which was read; when,

On motion of Mr. Richardson,

Said bill and proposed amendments were referred to a select  
committee of five.

*Ordered*, That Messrs. Richardson, Edmonston, and Ra-  
walt be that committee.

On motion of Mr. Huey,

The bill from the Senate, entitled

"An act for the benefit of a person therein named,"

Was taken up for consideration, and

Read the second time.

On the question Shall said bill be read a third time?

It was decided in the affirmative, by yeas and nays, upon the  
call of Messrs. McMurtry and Rawalt, as follows, to wit:

In the affirmative,

Messrs. Atwater, Bentley, Courtright, Crain, Cunningham,  
Davidson, Davis, Dawson, Dollens, Dougherty, Dunbar, Ed-

monston, Elkin, Ewing, Creen of Clay, Green of St. Clair, Green of Greene, Harris, Huey, Hunt, Lagow, Lincoln, Logan, M'Cormick, Madden, Minshall, Moore of McLean, Murphy of Vermilion, Naper, Odam, Paullen, Reddick, Shields, Smith of Wabash, Stuntz, Thompson, Turley, Turney, Walker of Cook, Walker of Morgan, Watkins, Wheler, Witt, and Wood—15.

In the negative:

Messrs. Ball, Barnett, Carpenter, Cloud, Copeland, Craig, Diarman, Dubois, Edwards, English, Happy, Hinshaw, Hogan, Leary, McMurtry, Moore of St. Clair, Rawalt, Voris, Whitten, Wilson, and Wyatt—21.

Mr. Witt, from the select committee to which was referred a bill for

“An act to incorporate the Apple Creek Navigation Company,”

Reported the same back to the House with amendments;

Which were read, and concurred in.

*Ordered* to be engrossed, as amended.

Mr. Smith of Madison, from the select committee to which had been referred a bill for

“An act to relocate a part of a certain State road,”

Reported the same back to the House with an amendment;

Which was read, and concurred in.

On motion of Mr. Smith of Madison,

The bill and proposed amendments were referred to the Committee of the Whole House, and

The House now resolved itself into a Committee of the Whole to take into consideration said bill, and

After some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Wyatt reported, That the Committee of the Whole House, had had the same, according to order, under consideration, and had directed him to report the same back without amendment.

Mr. Hogan moved to amend, by adding the following, to wit:

“An act to re-locate the state road from Benjamin Johnson's, in Bond county, to Mr. Anderson's Bridge, in Madison county, be, and the same is hereby repealed, so far as relates to the road between Benjamin Johnson's and Lewis Judd's.”

On motion of Mr. Wyatt,

The bill and proposed amendments were laid on the table.

A message from the Senate by Mr. Prentiss, their Assistant Secretary.

MR. SPEAKER:

The Senate have passed bills of the following titles, viz:

"An act to increase the compensation of County Commissioners;"

"An act in relation to certain public roads therein named;"

"An act to alter the town plat of Geneva, and for other purposes;"

"An act for the relief of Nathaniel Pope and others."

In the passage of which several bills they ask the concurrence of the House of Representatives.

He then withdrew.

Mr. Wyatt, from the Committee on Petitions, to which had been referred the petition of James Walker, praying compensation for loss and injury sustained by him by laying off the town of Ottawa by the State of Illinois; he having settled upon the same when the land was held by the United States,

Reported a bill for

"An act for the relief of James Walker,"

Which was read; and

On the question,

Shall the bill be ordered to a second reading?

It was decided in the negative.

Mr. Dawson, from the select committee to which had been referred a bill for

"An act to establish the county of Marshall,"

Reported that they had ascertained, that the first principle of the law regulating such cases had not been complied with on the part of the petitioners, and only about 400 persons had signed said petition; while on the other hand they find at the last session of this present General Assembly, there were 2213 persons remonstrating against any division of said county. They, therefore, recommend the rejection of said bill.

The question was then put,

Shall said bill be engrossed for a third reading?

And decided in the negative.

Mr. Craig, from the Committee on Internal Improvements, to which had been referred the bill from the Senate, entitled "An act further supplemental to an act to establish and maintain a general system of Internal Improvement,"

Reported the same back without amendment;  
When,  
On motion,

The House adjourned till 2 o'clock, P. M.

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2 O'CLOCK, P. M.

The House met pursuant to adjournment.

The question pending when the House adjourned, on ordering the bill from the Senate, for

"An act further supplemental to an act to establish and maintain a general system of Internal Improvements,"

To a third reading,

Again coming up for consideration,

Mr. McCown moved to lay the bill on the table till the 4th day of July next;

Which was decided in the negative, by yeas and nays, upon the call of Messrs. Paullen and Turley, as follow, to wit:

In the affirmative,

Messrs. Atwater, Barnett, Carpenter, Courtright, Cunningham, Davidson, Davis, Diarman, Dubois, English, Green of Clay, Green of Greene, Happy, Hardin, Harris, Hunt, McCown, McMurtry, Madden, Minor, Minshall, Morton, Oneille, Paullen, Rawalt, Richardson, Stuart, Thompson, Walker of Cook, Walker of Morgan, Wheeler, Whitten, Williams, Witt, and Wyatt—36.

In the negative,

Messrs. Aldrich, Baker, Ball, Bartlett, Bentley, Cloud, Copeland, Connolly, Craig, Crain, Cullom, Dawson, Dollens, Dougherty, Davidson, Dunn, Edwards, Elkin, Ewing, Hankins, Hinshaw, Hogan, Huey, Lagow, Leary, Lincoln, Logan, Lyons, McCermick, Marrs, Moore of McLean, Moore of St. Clair, Murphy of Perry, Murphy of Vermilion, Naper, Odam, Pace, Reddick, Scarborough, Shields, Smith of Wabash, Stuntz, Turley, Torney, Voris, Watkins, Wood, and Mr. Speaker—48.

*Ordered* to be read a third time.

On motion of Mr. Pace,

The rule relative to the reception of reports was suspended for half an hour.

Mr. Oneille, from the Committee on Public Accounts and Expenditures, to which was referred the bill for

"An act supplemental to an act making appropriations for the years 1837 and 1838,"

Reported the same back with sundry amendments:

When,

On motion of Mr. Moore of St. Clair,

The bill and proposed amendments were referred to the Committee of the Whole House, and

The House now resolved itself into the committee of the whole house to take into consideration, the said bill and amendments, and after some time spent therein,

Mr. Speaker resumed the Chair; and

Mr. Moore of St. Clair reported that the committee of the whole house had had, according to order, said bill and proposed amendments under consideration, had made sundry amendments thereto, and directed him to ask the concurrence of the House in said amendments.

On motion of Mr. Williams,

The bill and proposed amendments of the Committee of the Whole House were recommitted to the committee on Public Accounts and Expenditures.

Mr. Wyatt, from the Committee on Petitions, to which had been referred the petition of sundry citizens of Vermilion county, praying the location of a certain road, reported a bill for

"An act to locate a State road therein mentioned;"

Which was read twice.

On motion of Mr. Reddick,

The bill was amended by striking out the words "Decatur, in Macon county," in the first section, and inserting "Sodoris, in Champaign county."

On motion of Mr. Lincoln,

The bill was further amended by adding the following as an additional section:

Sec. 4. That Bowling Green, Bennett Abell, and John Bennett, be and they are hereby authorized to meet at any time within six months from the passage of this act, and to relocate so much of the State road leading from Springfield to Lewiston, as lies between the towns of New Salem and Petersburg, and are required to make a map and report of said relocation, and file the same with the clerk of the county commissioners' court of Sangamon county; and for their ser-

vices shall receive such compensation as the county commissioners of said county shall deem reasonable.

Then,  
On motion,

The House adjourned.

THURSDAY, July 20th, 1837.

The House met pursuant to adjournment.

Mr. Madden, from the Committee on enrolled bills, reported as correctly enrolled, bills of the following titles, to wit:

"An act to authorize John Green and William Stadden to build a toll bridge across Fox river;"

"An act to amend an act entitled 'An act to extend the corporate powers of the town of Peoria,' approved February 21st, 1837;"

"An act to amend an act to change the name of Watson James Filley," approved 16th January, 1837;

"An act to amend the act incorporating the Kaskaskia Bridge Company;"

"An act to repeal an act in relation to schools in township thirty-nine, north, in range fourteen, east;"

"An act to legalize processes in the Circuit Courts in this State;"

"An act to locate a State road therein named;"

"An act to locate a State road from Apanooce, in Hancock county, to the Drowning Fork of Crooked Creek, in MacDonough county, and to vacate a part of a State road;"

"An act to relocate a part of the State road leading from Maysville to Shelbyville;"

"An act to locate a State road from or near George R. Logan's to Tecumseh, in White county;"

"An act to extend the corporate powers of the President and Trustees of the town of Springfield;"

"An act to vacate certain town plats;"

"An act to change a State road leading from Rushville to Carthage;"



"An act to change a part of the State road running from Vandalia to Jacksonville;"

"An act for the purposes therein named;"

"An act to re-establish a certain road therein named;"

"An act to change the name of the town of Centreville;"

"An act to relocate a part of a State road in Edgar county;"

"An act to establish a State road from Beardstown, in Cass county, to Petersburg, in Sangamon county."

Mr. Madden, from the same Committee, afterwards reported that they had this day laid before the Council of Revision the aforesaid bills.

The question pending when the House last adjourned, being on ordering the bill for

"An act to locate a State road therein mentioned," to be engrossed for a third reading, again coming up for consideration, it was

*Ordered* that said bill be engrossed for a third reading.

The question heretofore pending, on the motion of Mr. Murphy of Vermilion, to refer the bill entitled

"An act in relation to the Penitentiary," to the Committee of the Judiciary, again coming up for consideration, it was

Decided in the negative.

On motion of Mr. Smith of Madison,

The bill was amended by adding the following to the beginning of 2d section, viz:

"That all the power and authority heretofore conferred on the Warden of the Penitentiary is hereby vested in the Inspectors thereof, who are authorized and empowered"—

On motion of Mr. Hardin,

The bill was further amended by striking out the words "let or," wherever they occur in the bill.

*Ordered* to be engrossed as amended.

On motion of Mr. Hogan,

The rule of the House was dispensed with, and the said bill was read a third time by its title, and passed.

*Ordered*, That the title be as above, and that the Clerk inform the Senate of the passage of the bill, and ask their concurrence therein.

Message from the Senate, by Mr. Prentiss, their Assistant Secretary:

MR. SPEAKER:

The Senate have adopted a memorial and certain resolutions in relation to the subject of Internal Improvements.

In the adoption of which, they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in the adoption of the resolution from the House of Representatives, having for its object the "distribution of the laws of Congress," as amended by them.

They amend as follows, to wit:

Insert in the fifth line between the words "distributed" and "all," "and at the time the laws of the State are distributed."

Strike out the words "five" and insert "ten."

And ask the concurrence of the House of Representatives in their amendments thereto.

The Senate have concurred with the House of Representatives in the passage of a bill, entitled

"An act to locate a state road from East Nelson, in Shelby county, to Le Roy, in McLean county,"

Also,

In the passage of the bills of the following titles, viz:

"An act to amend an act, entitled an act to incorporate the town of Carlinville," approved March 4, 1837; and

"An act concerning a state road in Edwards county;"

As severally amended by them, and ask the concurrence of the House of Representatives in their amendments thereto.

They have passed a bill, entitled

"An act to amend the act entitled an act declaring what shall be evidences in certain cases," approved 10th January 1827;

In the passage of which bill, they ask the concurrence of the House of Representatives.

He then withdrew.

Mr. Dougherty, from the Committee on the Judiciary, to which had been referred the communication of the Governor in relation to the election of the Judge of the 5th Judicial Circuit, and the Warden of the Penitentiary, reported:

That the only provision of the Constitution, which seems to bear on the point referred to your committee, is the 19th sect. of the 2d article of the Constitution, which provides "that no senator or representative shall, for the time for which he shall have been elected, be appointed to any civil office under this State, which shall have been created, or the emoluments of which shall have been increased during such time." By this provision, it was clearly the intention of the framers of our Constitution to prevent members of the legislature from using

their influence as such members, to create offices, or increase the salaries of offices, for their private aggrandizement, and relates solely to the eligibility of persons to office. In the two cases referred to by the Governor, it is not contended that at the time of their election they were ineligible—the office of neither being created during the time for which he had been elected, or their salaries increased; it is clear that at the time they were elected, they were eligible to the offices they respectively held. This fact being once conceded, a question arises whether the increase of their salaries after elected, will operate as a removal from office. Your committee are of opinion that it does not, inasmuch as an acceptance of an office of profit, by any member of the legislature, vacates his seat as such member, and the time for which he was elected is determined. Your committee are therefore clearly of the opinion that they are constitutionally officers of this State, and that the provision of the constitution referred to by the Governor, in his communication, relates solely to eligibility at the time of election, and not to the holding of office after election.

Mr. Hardin, from the Committee on the Judiciary, to which had been referred the bill from the Senate, entitled

“An act concerning conveyances,”

Reported the same back without amendment.

*Ordered* to a third reading.

On motion of Mr. Hardin,

The rule of the House was dispensed with, and said bill was read a third time by its title and passed.

*Ordered*, That the title be as aforesaid, and that the Clerk inform the Senate of the passage of the same.

Mr. Dougherty, from the Committee on the Judiciary, to which had been referred a bill from the Senate, for

“An act concerning the recording of Conveyances,”

Reported the same back without amendment.

*Ordered* to a third reading.

On motion of Mr. Hardin,

The rule of the House was dispensed with, and  
Said bill read a third time by its title and passed.

*Ordered*, That the title of the bill be as aforesaid; and that the Clerk inform the Senate of the passage thereof.

Mr. Cloud, from the Committee on Roads and Canals, to which had been referred the engrossed bill, entitled

“An act declaring a certain road in McLean county a State road,”

Reported the same back with an amendment to the proposed amendment;

Which was read and concurred in.

The question was then taken on the amendment heretofore proposed by Mr. Moore of McLean; and

Decided in the affirmative.

On motion of Mr. English,

The bill was further amended by striking out the word "white," in the second section.

The bill then passed, as amended.

On motion of Mr. Moore of McLean,

The title of the bill was amended by adding the words "and for other purposes."

*Ordered*, That the title be as amended, that the clerk inform the Senate of the passage of said bill, and ask their concurrence therein.

Mr. Smith of Wabash, from the Committee on Internal Improvements, to which had been referred a bill for

"An act to prevent disasters on Steamboats navigating the waters within the jurisdiction of the State of Illinois,"

Reported the same back with an amendment;

Which was read and concurred in.

*Ordered* to be engrossed for a third reading as amended.

On motion of Mr. Smith of Wabash,

The rule of the House was dispensed with, and the said bill was now read the third time by its title, and passed as amended.

*Ordered*, That the title be as aforesaid, and that the Clerk inform the Senate of the passage of said bill, and ask their concurrence therein.

Mr. Oneille, from the Committee on Public Accounts and Expenditures, to which had been referred a bill, entitled

"An act supplementary to an act making appropriations for the years 1837 and 1838," and amendments of the Committee of the Whole,

Reported the same back with sundry amendments.

Mr. Smith of Madison, called for a division of the question, so as to take the question on the amendments proposed by the Committee separately.

The question was then taken on the first amendment, and decided in the affirmative.

The question was then taken on the second amendment, and decided in the negative.

On motion of Mr. Hogan,

Said amendment was amended by adding, after the words "Principal Clerk" the words "pro tem."

On motion of Mr. Walker of Morgan,

Said bill was further amended by adding after the word "Representatives" the words "Engrossing and Enrolling Clerk."

Mr. Moore of St. Clair, moved further to amend by adding the following,

To Enoch Luckey, the sum of \$75, for the apprehension of certain fugitives from justice from Madison county.

On motion of Mr. Lagow,

Said amendment was amended by striking out 75 and inserting \$40.

The question recurring upon the amendment of Mr. Moore of St. Clair, as amended,

It was decided in the negative.

Mr. Pace moved to amend by inserting the following, to wit:

"The Treasurer of the Illinois and Michigan Canal shall be allowed a sum equal to the increased compensation of the other Commissioners for contingent services,—said allowance to run from the date of his services in that capacity until the end of the term for which he was appointed. The same to be paid out of the Canal Fund, in like manner as are the salaries of the other Commissioners."

Mr. Shields moved to insert the following as a substitute, to wit:

"That the Treasurer of the Board of Canal Commissioners shall receive compensation for contingent services, not exceeding two dollars per day, while employed in the present service; which was not agreed to."

The question recurring upon the amendment proposed by Mr. Pace,

It was decided in the negative.

Mr. Walker of Morgan moved the following as an amendment:

"That so much of the laws of the last session in relation to increase of salary of the Canal Commissioners, be and the same is hereby repealed;"

Which was not agreed to.

Mr. Ewing moved to strike out 321, the sum allowed Mr. Charles Prentice, and insert 356;

Which was not agreed to.

On motion of Mr. Ewing,

The bill was amended as follows, to wit:

"To Eckles and Blackwell. eighteen dollars and fifty cents for articles furnished for the use of the State. To Abner Johnson ten dollars and fifty cents for work done, for use of Secretary's office."

Mr. Shield offered the following amendment to the bill:

"There shall be allowed to the Treasurer of the Board of Canal Commissioners, for each day he has or may act as acting Commissioner, the sum of two dollars per day;"

Which was not agreed to.

Mr. Watkins moved to reconsider the vote taken on the amendment proposed by Mr. Shields;

Which was not agreed to.

The bill was then

*Ordered* to be engrossed as amended.

Mr. Edmonston, from the Select Committee, to which had been referred a bill for

"An act to locate a State road from Canton to Knoxville, and for other purposes,"

Reported the same back with sundry amendments;

Which were concurred in, and the bill was

*Ordered* to be engrossed as amended.

Mr. Dougherty, from the Committee on the Judiciary to which had been referred a bill for

"An act relating to the duties of County Commissioners,"

Reported the same back without amendment.

*Ordered* to be engrossed.

On motion of Mr. Leary,

The rule of the House was dispensed with, and

Said bill was read a third time by its title and passed.

*Ordered*, That the title be as aforesaid, and that the Clerks carry the same to the Senate, and ask their concurrence in the passage of the same.

Message from the Senate by Mr. Prentiss, their Secretary  
Mr. SPEAKER,—

The Senate have concurred with the House of Representatives in the passage of the bill, entitled

"An act in relation to the county of Cass,"

As amended by them.

They have amended the title of said bill by adding thereto the words "and Bureau"

And ask the concurrence of the House of Representatives in their amendments to said bill, and the title thereof.

They have passed a bill, entitled

"An act to change part of a State road leading from Vandalia to Hillsborough;"

And ask the concurrence of the House of Representatives in the passage of said bill.

And he withdrew.

Another message from the Senate by Mr. Prentiss, their Secretary.

Mr. SPEAKER,—

The Senate have concurred with the House of Representatives in their amendments to the bill, entitled

"An act to incorporate the city of Alton."

They have also concurred with the House of Representatives in the passage of the bill, entitled

"An act to legalize certain terms of the circuit courts in the 7th judicial circuit,"

As amended by them.

They have amended the title of said bill so as to make it

"An act to increase the capital stock of certain companies:"

And the concurrence of the House of Representatives in their amendments to said bill, and the title thereof.

He then withdrew.

Another message from the Senate, by Mr. Prentiss, their Secretary.

Mr. SPEAKER,—

The Senate have concurred with the House of Representatives in the passage of bills of the following titles, viz:

"An act concerning the public revenue;"

"An act to incorporate the Alton Ferry Company;" and

"An act changing a certain State road;"

As amended by them,

And ask the concurrence of the House of Representatives in their amendments to said bills.

They amend the title of the last mentioned bill by adding the words "in Pike county," and also ask the concurrence of the House of Representatives.

They have passed a bill, entitled

"An act for the purposes therein named;"

And ask the concurrence of the House of Representatives herein.

They have concurred with the House of Representatives in the passage of a bill for

"An act to amend an act concerning process, approved Feb. 25, 1837, and for other purposes."

And he withdrew.

Mr. Shields, from the Select Committee to which had been referred a bill for

"An act concerning the State Bank of Illinois,"

Reported the same back with amendments;"

Which were read and concurred in.

On motion of Mr. Murphy of Perry,

Said bill and amendments were laid on the table.

Mr. Carpenter, from the Select Committee to which had been referred the bill from the Senate, entitled

"An act to suspend for a limited time, certain laws in relation to the Banks in this State,"

Reported the same back with an amendment;

Which was read.

Mr. Happy proposed the following as an additional section:

Sec. And the more effectually to secure to the State, and people of Illinois, their just dues, it is further enacted, That in addition to the avails which properly belong to said State Bank and Branches, the stockholders of said bank shall be and are hereby bound severally in their private and individual capacity for the payment of all the debts due and owing, or which may hereafter become due from the said Bank to the State of Illinois, or any person or persons, body politic or corporate in this State.

Mr. Walker of Morgan moved to amend the amendment by inserting after the word "capacity," the words "in proportion to their stock;"

Which was not agreed to.

On motion,

The House adjourned until 2 o'clock, P. M.



2 O'CLOCK, P. M.

The House met pursuant to adjournment.

The question pending when the House adjourned last, being on the amendment proposed by Mr. Happy to the report of the select committee on the bill from the Senate relative to the State Bank, again coming up for consideration,

On motion of Mr. Cloud,

The vote taken on the amendment proposed by Mr. Walker of Morgan to the amendment proposed by Mr. Happy, was reconsidered.

The yeas and nays being called for on this question, by Messrs. Cloud and Dunbar, are as follow, to wit:

Those voting in the affirmative, are,

Messrs. Aldrich, Baker, Barnett, Bartlett, Cloud, Courtright, Cullom, Cunningham, Davidson, Davis, Diarman, Dollens, Dunbar, English, Ewing, Green of Clay, Green of Greene, Hankins, Happy, Hardin, Harris, Hinshaw, Hogan, Huey, McCormick, Madden, Marrs, Minor, Morton, Murphy of Vermilion, Odam, Pace, Reddick, Scarborough, Shields, Smith of Madison, Somerville, Thompson, Turney, Walker of Cook, Walker of Morgan, Wheeler, Whitten, Wilson, Witt, and Wyatt—46.

In the negative,

Messrs. Atwater, Bentley, Carpenter, Copeland, Connolly, Craig, Crain, Dawson, Dubois, Edmonston, Edwards, Elkin, Green of St. Clair, Hunt, Lagow, Leary, Lincoln, Logan, Lyons, McMurtry, Minshall, Moore of McLean, Moore of St. Clair, Naper, Oneille, Paullen, Rawalt, Smith of Wabash, Stuart, Stuntz, Voris, Watkins, Webb, Williams, Wood, and Mr. Speaker—36.

The question was then taken on the amendment proposed by Mr. Walker of Morgan, and decided in the affirmative by yeas and nays, upon the call of Messrs. Cloud and Bentley, as follows, to wit:

In the affirmative,

Messrs. Barnett, Cloud, Courtright, Crain, Cunningham, Davidson, Davis, Diarman, Dollens, Dunbar, Edwards, English, Ewing, Green of Green, Hankins, Happy, Hardin, Harris, Hinshaw, Huey, McCormick, Madden, Marrs, Minor, Minshall, Morton, Odam, Pace, Rawalt, Reddick, Shields, Smith of Madison, Somerville, Thompson, Turney, Walker of

Cook, Walker of Morgan, Wheeler, Whitten, Wilson, Witt, Wyatt, and Mr. Speaker.—43.

In the negative,

Messrs. Aldrich, Atwater, Baker, Bartlett, Bently, Carpenter, Copeland, Connolly, Craig, Cullom, Dawson, Dubois, Dunn, Edmonston, Elkin, Green of Clay, Green of St. Clair, Hogan, Hunt, Lagow, Leary, Lincoln, Logan, Lyons, McMurtry, Moore of McLean, Moore of St. Clair, Murphy of Vermilion, Naper, Oneille, Paullen, Scarborough, Smith of Wabash, Stuart, Stuntz, Voris, Watkins, Webb, Williams, and Wood.—40.

On motion of Mr. Cloud, the amendment was further amended by striking out before the word severally, the words "jointly and."

The question recurring upon the amendment proposed by Mr. Happy, as amended,

It was decided in the negative by yeas and nays, upon the call of Messrs. Morton and Bentley, as follows, to wit:

In the affirmative,

Messrs. Barnett, Cloud, Copeland, Courtright, Crain, Cunningham, Davis, Diarman, Dollens, Edmonston, English, Ewing, Green of Green, Hankins, Happy, Harris, Hinshaw, Madden, Marrs, Minor, Minshall, Morton, Odam, Pace, Paullen, Reddick, Richardson, Smith, of Madison, Somerville, Thompson, Walker of Cook, Walker of Morgan, Wheeler, Whitten, Witt, Wood, Wyatt, and Mr. Speaker.—38.

In the negative,

Messrs. Aldrich, Atwater, Baker, Ball, Bartlett, Bentley, Carpenter, Connolly, Craig, Cullom, Davidson, Dawson, Dougherty, Dubois, Dunbar, Dunn, Edwards, Elkin, Green of Clay, Green of St. Clair, Hardin, Hogan, Huey, Hunt, Lagow, Leary, Lincoln, Logan, Lyons, McCormick, McMurtry, Moore of St. Clair, Moore of McLean, Murphy of Perry, Murphy of Vermillion, Naper, Oneille, Rawalt, Scarborough, Shields, Smith of Wabash, Stuart, Stuntz, Turney, Voris, Watkins, Webb, Williams, and Wilson.—49.

Mr. Pace moved further to amend by adding the following:

"The said Bank shall not, after the first day of August next, issue or pay out any bills of a smaller denomination than ten dollars; and the said Bank shall not, after the first day of January, eighteen hundred and thirty-nine, issue or pay out any bills of a smaller denomination than twenty dollars;"

Which was decided in the negative, by yeas and nays upon the call of Messrs. Madden and Richardson, as follows, to wit:

**In the affirmative,**

Messrs. Atwater, Barnett, Cloud, Copeland, Courtright, Cunningham, Davidson, Davis, Diarman, Dollens, Edmonston, English, Ewing, Green of Greene, Hankins, Happy, Harris, Hinshaw, Madden, Marrs, Minor, Morton, Pace, Paullen, Reddick, Richardson, Smith of Madison, Turley, Turney, Walker of Cook, Walker of Morgan, Wheeler, Whitten, Wyatt and Speaker—35.

**In the negative,**

Messrs. Aldrich, Baker, Ball, Bartlett, Bentley, Carpenter, Connolly, Craig, Crain, Callom, Dawson, Dougherty, Dabois, Dunbar, Dunn, Edwards, Ekin, Green of Clay, Green of St. Clair, Hardin, Hogan, Huey, Hunt, Lagow, Leary, Lincoln, Logan, Lyons, McCormick, McMurtry, Minshall, Moore of McLean, Moore of St. Clair, Murphy of Perry, Murphy of Vermillion, Naper, Odam, Oneille, Rawalt, Scarborough, Shields, Smith of Wabash, Somerville, Stuart, Stuntz, Thompson, Voris, Watkins, Webb, Williams, Wilson, Witt, and Wood—53.

**On motion of Mr. Ewing,**

The bill was amended by striking out all after the word "upon" in the 6th line of the 6th section, and inserting the words, "the same time now allowed on notes discounted, or that may hereafter be discounted."

Mr. Reddick moved to strike out the word "originally" before the word "due;"

Which was not agreed to.

Mr. Cloud moved to further amend the bill by adding the following, viz:

"On the acceptance by the Bank of the provisions of this act, the right is reserved and by the Bank conceded to the General Assembly of this State, to alter, modify, change, or repeal the charter of the State Bank of Illinois, and all supplements thereto, whenever they may think the public interest requires the same."

Upon the question being taken, it was

Decided in the negative, by yeas and nays upon the call of Messrs. Madden and Paullen, as follows, viz:

**In the affirmative,**

Messrs. Barnett, Cloud, Copeland, Courtright, Crain, Cunningham, Davis, Diarman, Dollens, Edmonston, English, Ewing, Hankins, Happy, Harris, Hinshaw, Madden, Marrs, Minor, Minshall, Morton, Pace, Paullen, Rawalt, Reddick, Richardson, Turley, Wheeler, Whitten, Wyatt, and Mr. Speaker—31.

**In the negative,**

Messrs. Aldrich, Atwater, Baker, Ball, Bartlett, Bentley, Carpenter, Connolly, Craig, Cullom, Davidson, Dawson, Dougherty, Dubois, Dunbar, Dunn, Edwards, Elkin, Green of Clay, Green of St. Clair, Green of Greene, Hardin, Hogan, Hunt, Lagow, Leary, Lincoln, Logan, Lyons, McCormick, McMurtry, Moore of McLean, Murphy of Perry, Murphy of Vermilion, Naper, Odam, O'Neill, Scarborough, Shields, Smith of Madison, Smith of Wabash, Somerville, Stuart, Stuntz, Thompson, Turney, Voris, Walker of Cook, Walker of Morgan, Watkins, Webb, Williams, Wilson, Witt, and Wood—55.

The question was then taken upon concurring in the amendments of the committee as amended, and

Decided in the affirmative.

*Ordered* to a third reading, as amended.

On motion of Mr. Witt,

The rule of the House was dispensed with for the purpose of receiving a report from a select committee:

Whereupon,

Mr. Witt, from the select committee to which had been referred a bill from the Senate, entitled

“An act to relocate the county seat of Calhoun county,”

Reported the same back without amendment.

The bill then passed.

*Ordered*, That the title be as aforesaid, and that the clerk inform the Senate thereof.

Mr. Madden, from the Committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles, to wit:

“An act to incorporate the city of Alton;”

“An act to relocate a part of the State road leading from William Crow’s, in Morgan county, to Musick’s Bridge, in Sangamon county;”

“An act to change the name of Thomas Jefferson Saunders and Francis Hood;” and

“An act for the relief of James K. Weisner.”

Mr. Maddeen, from the same Committee, afterwards reported that they had this day laid the aforesaid bills before the Council of Revision.

Mr. Cunningham moved further to dispense with the rule for the reception of reports for the remainder of the day;

Which was not agreed to.

A message from the Council of Revision, by J. F. Owings, their Secretary.

Mr. SPEAKER,—The bills entitled as follows, viz:

“An act to change a State road leading from Rushville to Carthage;”

“An act to change a part of the State road running from Vandalia to Jacksonville;”

“An act to vacate certain town plats;”

“An act legalizing the location of the State road from Knoxville to New-Boston;”

“An act to re-establish a certain road therein named;”

“An act to change the name of the town of Centreville;”

“An act to relocate a part of the State road in Edgar county;”

“An act to establish a State road from Beardstown, in Cass county, to Petersburg, in Sangamon county;”

Have been severally approved by the Council of Revision.

And then he withdrew.

Message from the Senate, by Mr. Prentiss, their Secretary.

Mr. SPEAKER,—

The Senate have passed bills of the following titles, viz:

“An act concerning the canal lands;”

“An act explanatory of the act to amend the acts in relation to common schools, approved March 4th, 1837;”

“An act for the purposes therein mentioned;”

“An act supplementary to an act to increase the capital stock of certain Banks, and to furnish means to pay the interest on a loan authorized by an act, entitled ‘An act to establish and maintain a general system of internal improvements,’ approved March 3d, 1827.”

In the passage of said several bills they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in the passage of bills of the following titles, viz:

“An act to locate a State road from Alton to Elias Gwinn’s;”

“An act for the relief of Mary Evans;”

“An act authorizing the clerks of the county commissioners’ court to list certain lands;”

“An act to change part of a road therein named;”

“An act legalizing the incorporation of the town of Beardstown.”

They have concurred with the House in the passage of the bill, entitled

"An act concerning Calvin's Slough;"

As amended by them,

In which amendment they ask the concurrence of the House of Representatives.

They refuse to concur with the House of Representative in the resolution having for its object to authorize and require the Auditor of Public Accounts to audit and settle the accounts of the late Board of Canal Commissioners.

And he withdrew.

The bill from the Senate, entitled

"An act for the relief of the purchasers of Canal lands and lots,"

Was read the third time.

Od motion of Mr. English,

The bill was amended as follows, to wit:

Strike out all after the words "viz:" in the 9th line, to the word "and" in the 18th line, and insert the following:

"That they will on the first day of October next, pay all the interest then due upon said debts, according to the terms of sale; and on the first day of October, 1838, and first day of October, 1839, pay the interest and ten per cent. of the principal which may be due; and on the first day of October in each and every year thereafter, pay the interest and twenty per cent. on the principal in advance, until the whole sum due shall be paid."

On motion of Mr. Smith of Wabash,

The bill was amended by adding the following as an additional section:

"SEC. That all relief extended to purchasers of Canal property, under the provisions of this act, is to be claimed under the express understanding and condition, that the legislature reserves the right to amend, modify, or repeal this act, at any time after the first Monday in December, eighteen hundred and thirty-eight; Said right to amend, modify, or repeal the same, after the time aforesaid, is hereby reserved."

The bill then passed as amended.

Ordered, That the title be as aforesaid; and that the Clerk inform the Senate thereof, and ask their concurrence in the amendments of the House to the same.

The engrossed bills, entitled

"An act to incorporate the Centreville Steam Mill Company;"

"An act to prevent members of the Legislature from holding offices under the Board of Public Works, or the Board of Canal Commissioners;"

"An act to amend an act to provide for the election of Probate Justices of the Peace;"

"An act to encourage education in township five, south, range six, east of the third principal meridian;"

"An act concerning bail in criminal cases;"

"An act to locate a State road, from Salem, in Marion county, to Charleston, in Coles county;"

"An act to incorporate the town of Caledonia;"

"An act to incorporate the Apple Creek Navigation Company;"

Were severally read the third time and passed.

*Ordered*, That their titles be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence in the passage of the same.

The engrossed bill, entitled

"An act for the distribution of the school fund, and to establish a uniform system of common schools,"

Was read the third time, and

On motion of Mr. Webb,

Laid on the table.

The bill from the Senate, entitled

"An act further supplemental to an act to establish and maintain a general system of Internal improvements,"

Was read the third time, and

On the question, "Shall said bill pass,"

It was decided in the affirmative, by yeas and nays upon the call of Messrs. Rawalt and Paullen, as follows, to wit:

In the affirmative,

Messrs. Aldrich, Bartlett, Bentley, Copeland, Conolly, Crain, Cullom, Cunningham, Dawson, Dougherty, Dunbar, Dunn, Edwards, Elkin, Ewing, Green of Clay, Hankins, Hinchaw, Hogan, Huey, Lagow, Leary, Lincoln, Logan, McCormick, Marrs, Moore of McLean, Murphy of Perry, Murphy of Vermilion, Naper, Oneille, Pace, Reddick, Scarborough, Shields, Smith of Wabash, Somerville, Turley, Turney, Voris, Watkins, Wilson, Wood, and Speaker—44.

In the negative,

Messrs. Atwater, Cloud, Davidson, Davis, Diarman, Dollens, English, Green of Greene, Hardin, Harris, Hunt, McMurtry, Minor, Minshall, Moore of St. Clair, Morton, Odam, Paullen,

Rawalt, Richardson, Stuntz, Walker of Cook, Walker of Morgan, Webb, Wheeler, Whitten, Witt, and Wyatt—29.

*Ordered*, That the title be as aforesaid, and that the clerk inform the Senate thereof.

The bill from the Senate, entitled

“An act for the benefit of a person therein named,”

Was read the third time, and

On the question, “Shall said bill pass,”

It was decided in the affirmative, by yeas and nays, upon the call of Messrs. Morton and Moore of St. Clair, as follows, to wit:

In the affirmative,

Messrs. Bartlett, Bentley, Crain, Cullom, Davidson, Davis, Dawson, Dougherty, Dunbar, Dunn, Elkin, Ewing, Green of Clay, Green of Greene, Harris, Huey, Hunt, Lagow, Lincoln, McCormick, Marrs, Murphy of Perry, Murphy of Vermilion, Naper, Odam, Reddick, Richardson, Scarborough, Shields, Stuntz, Turney, Watkins, Webb, Wheeler, Witt, Wood, and Wyatt—37.

In the negative,

Messrs. Aldrich, Atwater, Barnett, Carpenter, Cloud, Copeland, Conolly, Craig, Diarman, Dollens, English, Hankins, Hinshaw, Leary, McMurtry, Minor, Minshall, Moore of McLean, Moore of St. Clair, Morton, Pace, Paullen, Rawalt, Voris, Walker of Cook, Whitten and Wilson—27.

*Ordered*, That the title be as aforesaid; that the clerk inform the Senate of the passage of said bill.

The engrossed bill, entitled

“An act to repeal certain laws relative to the permanent location of the seat of Government of the State of Illinois, approved February 25, and March 3d, 1837, and for other purposes,”

Was read the third time, and passed.

On motion of Mr. Lincoln,

The title was amended by striking out all after the words “An act,” and inserting “relative to the building of a State House at Springfield.”

*Ordered*, That the title be as amended; that the clerk inform the Senate thereof, and ask their concurrence in the passage of said bill.

Mr. Speaker laid before the House a communication from the Governor accompanied by a communication from the Warden of the Penitentiary, which was read and is as follows:



EXECUTIVE DEPARTMENT, }  
 Vandalia, July 19th, 1837. }

*To the Honorable the Speaker*

*of the House of Representatives: .*

SIR,—

In compliance with a resolution of the House of Representatives of the inst. calling on this Department for certain information in relation to the public arms now in possession of this State, I have the honor herewith to enclose a Report of the Warden of the Penitentiary, containing a detailed statement of the quantity and quality of arms now in his possession; and also the number that has been drawn upon my order for the use of independent companies. This report embraces the entire quantity belonging to the State, with the exception of some small number of muskets deposited at Shawneetown by the direction of my predecessor. The terms upon which independent companies can procure arms from the State, are contained in the 35th and 36th sections of an act for the organization and government of the militia of this State.

I have the honor to be, sir,

Your obed't serv't,

JOSEPH DUNCAN.

ALTON, June 2d, 1837.

HONORED SIR,—

In compliance with your request of the 24th May I hereby send you a full statement of all the arms and accoutrements in my possession at this time.

Since I took the care of the Penitentiary, I received two notes from you for arms, which I made out as follows, viz:

Captain Wm. B. Brown 60 yaugers, with apparatus.

To Captain Henry Miller 75 muskets, fitted off.

And I find remaining as follows:

Muskets,	374	Yaugers	312
Bayonets	243	Chargers	51
Screw drivers	357	Hand vices	31
Wipers	110	Swords	13
Ball screws	35	Pistols	6
Bullet moulds	296		

And the muskets are in very bad order. I suggested to the Inspectors the propriety of making the convicts clean them;

and for answer they said, that had to be done by an order from the Governor, and to say by what means the materials had to be obtained.

BEN. S. ENLOE,  
*Warden of the Penitentiary.*

On motion of Mr. *Murphy* of Vermilion,  
Said communication and accompanying document were laid on the table.

The bill from the Senate, entitled  
"An act to incorporate the town of Jerseyville,"  
Was twice read, and  
*Ordered* to a third reading.

The bill from the Senate, entitled  
"An act appropriating the residue of the Vermilion Saline Lands to the counties of Iroquois and Vermilion for the purpose of building a bridge across the Iroquois and Vermilion Rivers,"

Was read twice, and

On motion of Mr. *McMurtry*,

The bill was amended by inserting after the word "same," the words "not otherwise appropriated," in the 6th line of the first section.

Mr. *Connolly* moved to refer the bill to a select committee;  
Which was not agreed to.

*Ordered* to a third reading, as amended.

On motion of Mr. *Murphy* of Vermilion,

The rule of the House was dispensed with, and said bill was now read the third by its title, and passed.

On motion of Mr. *Murphy* of Vermilion,

The title of the bill was amended by striking out the words "a bridge," and inserting the word "bridges."

*Ordered*, That the title be as amended, and that the clerk inform the Senate of the passage of said bill, and ask their concurrence in the amendments of the House thereto.

The bill from the Senate, entitled

"An act to locate a State road from Shelbyville, in Shelby county,"

Was read twice.

On motion of Mr. *Ewing*,

The bill was amended by adding thereto several sections in relation to the location of certain roads in Fayette county.

*Ordered* to a third reading, as amended.

On motion of *Mr. Ewing*,

The said bill was read the third time, and passed.

On motion of *Mr. Ewing*,

The title was amended by striking out the aforesaid title, and inserting

"An act relating to certain roads in Fayette and Shelby counties."

*Ordered*, That the title be as amended, and that the clerk inform the Senate thereof, and ask their concurrence in the amendments thereto.

The bill from the Senate, entitled

"An act to locate certain State roads therein named,"

Was read twice.

On motion of *Mr. Madden*,

The bill was amended by adding thereto several sections, providing for the location of a State road from Carlinville, in Macoupin county, by way of Jerseyville, to Grafton, in Greene county.

On motion of *Mr. Dunbar*,

Said bill was further amended by inserting the following; viz:

"SEC. That so much of an act passed at the last session of the General Assembly as declares a certain county road which runs from Charleston in Coles county, to Hitesville, shall apply to the South county road, running to and from the above mentioned towns."

On motion of *Mr. Dunbar*,

The rule of the House was dispensed with and said bill was read a third time by its title, and passed.

*Ordered*, That the title be as aforesaid and that the clerk inform the Senate of the passage thereof, and ask their concurrence in the amendments of the House thereto.

The bill from the Senate, entitled

"An act in relation to the duties of county Treasurers and Sheriffs," was

Read the first time.

*Mr. Connolly*, moved to lay the bill on the table,

Which was not agreed to.

*Ordered* to a second reading.

On motion, the rule of the House was dispensed with, and

Said bill was read the second and third time by the title, and

On motion of *Mr. Hardin*,

Said bill was amended by inserting after the word "March," in the third line of the 2d section the words "June and September."

The bill then passed as amended.

*Ordered*, That the title be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence in the amendments of the House thereto.

The bill from the Senate, entitled

"An act to locate a state road from Petersburg in Sangaman county, to Macomb, in McDonough county,"

Was read twice.

On motion of Mr. Bentley,

The bill was amended by adding several sections thereto, declaring the road from Salem in Marion county, via Martins Ferry, on the Kaskaskia River, to Greenville in Bond county, a state road, and providing for the location of a State Road from Martins Ferry to Alton.

Mr. Smith of Madison moved to amend said bill, by adding the following, viz:

"The County Commissioners' Court of Madison county be, and the same is hereby authorized and empowered, to cause to be reviewed and relocated, any State road in said county, in the same manner and under the same restrictions as other roads in said county may be reviewed and relocated: *Provided*, No State road shall be altered or changed, at the point where the same may cross the line of said county."

On motion of Mr. Ewing,

The proposed amendment was amended by adding the following, to wit;

"*Provided*, That the road from Benjamin Johnson's, in Bond county, by John Charters', L. S. Judd's, to Anderson's bridge, in Madison county, be excepted from the operation of this act."

The amendment as amended, was then agreed to.

On motion of Mr. Rawalt,

The bill was further amended by inserting after the word "County," in 8th line of first section, the words "Nathan Veatch, of Fulton county."

*Ordered* to a third reading as amended.

On motion of Mr. Richardson,

The rule of the House was dispensed with, and

Said bill was then read a third time by its title, and passed.

On motion of Mr. Davidson,

The title was amended by adding, "and for other purposes."

*Ordered*, That the title be as amended, and that the Clerk inform the Senate thereof, and ask their concurrence in the amendment of the House thereto.

On motion of Mr. Dougherty,

The rule of the House relative to the reception of reports, was dispensed with, and leave given him to make a report; when

Mr. Dougherty, from the select committee to which was referred the bill from the Senate, entitled

“An act to change the Courts in the Third Judicial Circuit,”

Reported the same back with amendments,

Which were read, when

On motion,

The House adjourned.

FRIDAY, July 21st, 1837.

The House met pursuant to adjournment.

On motion of Mr. Smith, of Madison,

*Resolved, by the House of Representatives,* (the Senate concurring herein,) That the two Houses will meet in the Hall of the House of Representatives, this day, at 4 o'clock P. M. for the purpose of electing a Judge of the Municipal Court for the city of Alton.

*Ordered,* That the Clerk inform the Senate of the adoption of said resolution, and ask their concurrence therein.

Mr. Crain, from the select committee, to which had been referred a bill from the Senate, for

“An act to amend an act entitled ‘An act to amend an act concerning Justices of the Peace and Constables,’ approved February 13th, 1827: approved January 23d, 1829,”

Reported the same back without amendment.

*Ordered* to a third reading.

On motion of Mr. Murphy of Vermilion,

The rule of the House was dispensed with, and

Said bill was read the third time by its title and passed.

*Ordered,* That the title be as aforesaid; and that the Clerk inform the Senate thereof.

Mr. Walker of Morgan, from the committee to which had been referred the bill, entitled

"An act to amend an act prescribing the mode of summoning Grand and Petit Jurors, defining their qualifications and duties,"

Reported the same back without amendment.

*Ordered* to be engrossed for a third reading.

On motion of *Mr. Walker*,

The rule was dispensed with, and

Said bill was read the third time by its title, and passed.

*Ordered*, That the title be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence in the passage of said bill.

*Mr. Reddick*, from the select committee to which had been referred a bill for

"An act for the relief of Samuel A. Smallwood"

Reported the same back with an amendment, which was read and concurred in.

*Ordered* to be engrossed for a third reading.

On motion of *Mr. Reddick*,

The rule of the House was dispensed with, and

Said bill was read a third time by its title, and passed.

*Ordered*, That the title be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence in the passage of the same.

*Mr. Richardson*, from the minority of the Committee on the Judiciary, to which had been referred the communication of the Governor in relation to the Warden of the Penitentiary, on leave given, made the following report, viz:

A minority of the Judiciary Committee to which was referred a communication of the Governor of the State of Illinois, inviting the attention of the General Assembly to the eligibility of the Warden of the Penitentiary to the office he now holds, having bestowed upon the subject the consideration which its importance to the country deserves, beg leave to submit the following as the result of their deliberations. By reference to the 19th section of the 2d Article of the State Constitution, it will be perceived that "No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this State which shall have been created, or the emoluments of which shall have been increased during such time." The first consideration that presents itself to the minority of the Committee, for what time is a Senator, and for what time is a Representative elected. By reference to the 2d and 3d sections of the 2d Article of the

State Constitution, this matter is put to rest and placed beyond the possibility of a doubt. Senators, after a particular period of time are elected for four years, and Representatives for two years. Your Committee entertain the belief that when an individual is elected a Senator and accepts, he cannot for four years, fill any civil office under the State, which shall have been created, or the emoluments of which shall have been increased during such term of four years. So with a Representative: he is disqualified for two years after he accepts the same.

The minority of your Committee entertain the belief that in the case referred to by his Excellency Governor Duncan, in his communication to this State, the spirit and intention of the Constitution, if not the strict letter of the same, has been violated. They report the following facts:

Benjamin S. Enloe was elected in 1836 a Representative from the county of Johnson, in this State; that in December he was qualified and took his seat as such Representative: that on the 16th of January, 1837, he, said Enloe was elected Warden of the Penitentiary, a civil office under this State; and on the 27th of February, 1837, the salary of said Warden was increased from \$600 to \$800.

Mr. Happy, from the select committee to which had been referred a bill for

“An act authorizing an additional constable in Fayette county,”

Reported the same back with an amendment;

Which was read, and concurred in.

Ordered to be engrossed for a third reading.

Mr. Courtright, from the select committee to which was referred a bill for

“An act to locate a State road from Danville to Chicago, and from Juliet to the State line,”

Reported the same back without amendment; and

On motion of Mr. Murphy of Vermilion,

Said bill was laid on the table.

Mr. Hankins, from the select committee to which had been referred a bill for

“An act for a State road from Bowling Green, in Fayette county, via Ewington, in Effingham county. to Newton, in Jasper county,”

Reported the same back with an amendment;

Which was read and concurred in.

*Ordered* to a third reading.

On motion of Mr. Hankins,

The rule of the House was dispensed with, and said bill was read the third time by its title, and passed.

On motion of Mr. Huey,

The title of the bill was amended by adding at the end thereof the words "and for other purposes."

*Ordered*, That the title be as amended; that the clerk inform the Senate thereof, and ask their concurrence in the passage of said bill.

Mr. Madden, from the committee on enrolled bills, reported as correctly enrolled, bills of the following titles, to wit:

"An act to change a part of a State road therein named;"

"An act legalizing the incorporation of the town of Beardstown;"

"An act authorizing the clerks of the county commissioners' courts to list certain lands;"

"An act concerning the recording of conveyances;"

"An act concerning conveyances;"

"An act to amend an act concerning process, approved February 25, 1837, and for other purposes;"

"An act for the relief of Mary Evans;"

"An act to locate a State road from Alton to Elias Gwinn's;"

"An act to locate a State road from East Nelson, in Shelby county, Le Roy, in McLean county."

Mr. Madden, from the same committee, afterwards reported that they had this day laid before the Council of Revision the aforesaid bills.

The question pending when the House last adjourned, being on the amendments of the select committee to the bill from the Senate, entitled

"An act to change the courts in the third judicial circuit,"

Again coming up for consideration,

On motion of Mr. Hardin,

So much of the amendment proposed by the committee as relates to the 1st judicial circuit was stricken out, and the following inserted in lieu thereof:

Sec. The times of holding the courts in the first judicial circuit shall be as follows, viz:

In the county of Macoupin, on the second Mondays in March and September.

In the county of Greene, on the third Mondays in March and September, and the 4th Mondays in June.



In the county of Morgan, on the 4th Mondays in March and September, and the 1st Mondays in July.

In the county of Cass, on the 2d Mondays in April and October.

In the county of Tazewell, on the 3d Mondays in April and October.

In the county of McLean, on the 4th Mondays in April and October.

In the county of Macon, on the Monday after the 4th Mondays in April and October.

In the county of Sangamon, on the 2d Mondays in May and November, and the third Mondays in July.

This act shall take effect and be in force from and after the 25th day of December next.

*Ordered* to a third reading as amended.

On motion of Mr. Stuart,

The rule of the House was dispensed with, and

Said bill was read a third time by its title and passed.

On motion of Mr. Hardin,

The title was so amended as to make it read "first and third circuits."

*Ordered*, That the title be as amended; that the Clerk inform the Senate of the passage of the same.

The bill from the Senate, entitled

"An act to incorporate the town of Jerseyville,"

Was read the third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

The engrossed bill, entitled

"An act to locate a State road therein mentioned,"

Was read the third time and passed.

*Ordered*, That the title be as aforesaid; that the clerk inform the Senate thereof, and ask their concurrence in the passage of the same.

The bill, entitled

"An supplementary to an act making appropriations for the years 1837 and 1838,"

Was read the third time.

Mr. Oneille moved to amend the bill by adding the following:

"Jarvis Forehand two dollars per day for attending as Door keeper to the Council of Revision."

Mr. Reddick moved to amend the amendment by striking out two and inserting three dollars;

Which was not agreed to.

The question recurring on Mr. Oncille's amendment,  
It was decided in the affirmative.

Mr. Dubois moved to further amend the bill by striking out so much as appropriates "to William Walters 600 dollars;"

Which was decided in the negative, by yeas and nays upon the call of Messrs. Murphy of Vermilion and Dubois, as follows, to wit:

In the affirmative,

Messrs. Aldrich, Baker, Bartlett, Dawson, Dubois, Edwards, Elkin, Hardin, Hunt, Lincoln, McCormick, Minshall, Moore of St. Clair, Murphy, of Vermilion, Oncille, Rawalt, Turley, Watkins, Webb, Williams, Wilson—21.

In the negative—

Messrs. Atwater, Barnett, Bentley, Carpenter, Cloud, Copeland, Connolly, Courtright, Craig, Crain, Davidson, Davis, Diarman, Dollens, Dunbar, Dunn, English, Ewing, Green of Clay, Green of Greene, Hankins, Happy, Harris, Hinshaw, Huey, Lagow, Leary, Logan, Madden, Marrs, Minor, Moore of McLean, Morton, Naper, Odam, Pace, Paullen, Reddick, Richardson, Scarborough, Shields, Smith of Madison, Smith of Wabash, Somerville, Stuart, Stuntz, Turney, Voris, and Walker of Morgan—49.

On motion of Mr. Cloud,

The bill was further amended by adding the following:

"To Seth T. Sawyer the sum of 4 dollars per day for assisting the Clerk of the House of Representatives: the number of days to be certified to by said Clerk."

Mr. Smith of Wabash moved the previous question.

On the question, "Shall the main question be now put?"

It was decided in the affirmative.

On the question "shall the bill pass,"

It was decided in the affirmative by yeas and nays upon the call of Messrs. Dubois and Hardin, as follows, to wit:

In the affirmative,

Messrs. Aldrich, Atwater, Baker, Ball, Barnett, Bentley, Conolly, Courtright, Craig, Cullom, Davis, Diarman, Dunn, Edwards, Elkin, Ewing, Green of Clay, Green of Greene, Hankins, Huey, Lagow, Leary, Lincoln, Logan, Marrs, Moore of McLean, Naper, Odam, Oncille, Pace, Scarborough, Shields, Somerville, Turley, Voris, Walker of Cook, Walker of Morgan, Watkins, Wilson, and Witt 40.

In the negative,

Messrs. Bartlett, Carpenter, Cloud, Copeland, Crain, Davidson, Dawson, Dollens, Dubois, Dunbar, Edmonston, English, Happy, Hardin, Harris, Hinshaw, Hogan, Hunt, McCormick, Minor, Moore of St. Clair, Murphy of Perry, Murphy of Vermilion, Paullen, Rawalt, Richardson, Smith of Madison, Smith of Wabash, Stuart, Stuntz, Thompson, Turney, Webb, Williams, and Speaker—35.

Message from the Senate, by Mr. Prentiss, their Secretary:

MR. SPEAKER:

The Senate have concurred with the House of Representatives in the passage of the bills, entitled

“An act to incorporate the Caledonia Rail Road Company;”

“An act in relation to the Municipal Court of Chicago, and for other purposes;”

As amended by them.

They amend the title of the last mentioned bill, by striking out “and for other purposes;”

And ask the concurrence of the House of Representatives in the said amendment to the said bill, and the title thereof.

They have also concurred with the House of Representatives in the passage of a bill for

“An act for publishing and distributing the reports of the Supreme Court of this State;”

As amended by them;

And ask the concurrence of the House of Representatives, to the amendment of the Senate thereto.

He then withdrew.

Another message by Mr. Prentiss, Secretary of Senate:

MR. SPEAKER:

The Senate have passed bills of the following titles, viz:

“An act to prohibit the circulation of Bank Notes of a less denomination than five dollars;” and

“An act to provide for the sale of certain canal lands, and for other purposes.”

In the passage of which several bills, they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives, in the passage of bills of the following titles, viz:

“An act to amend an act to incorporate the Chicago and Fox River Turnpike Road Company,” approved March 1st, 1837;

“An act to prevent disasters on Steamboats navigating the waters within the jurisdiction of Illinois;” and

"An act in relation to the Penitentiary."

He then withdrew.

The bill from the Senate, entitled

"An act to suspend for a limited time certain laws in relation to the banks of this State,"

Was read the third time.

On motion of Mr. Ewing,

The vote heretofore taken on the amendment proposed by him, to the sixth clause of the 1st section of said bill,

Was reconsidered.

Mr. Ewing then withdrew his amendment.

Mr. Smith of Madison, moved to amend the bill as follows:

"For the violation of any of the provisions of this act, during the suspension of *specie* payment, the Directors and Stockholders, shall be bound in their individual and private capacity, (in proportion to their stock,) for the redemption of all the notes of said bank and branches, held by any citizen or citizens of *this State*.

Mr. Shield moved to amend the proposed amendment, by striking out "and Stockholders," and inserting "of the Parent Bank and Branches."

Mr. Smith of Wabash, called for a division of the question.

The question was then taken on striking out, and

Decided in the negative.

Mr. Naper moved the previous question.

The question recurring upon the amendment proposed by Mr. Smith of Madison,

It was decided in the negative by yeas and nays, upon the call of Messrs. Smith of Madison, and Happy, as follows, to wit:

In the affirmative,

Messrs. Barnett, Carpenter, Cloud, Copeland, Court-right, Crain, Cullom, Davidson, Davis, Diarman, Dollens, Edmonston, English, Ewing, Green of Greene, Hankins, Happy, Harris, Hinshaw, Huey, Lincoln, Madden, Marrs, Minor, Morton, Odam, Pace, Paullen, Richardson, Smith of Madison, Somerville, Thompson, Turley, Turney, Walker of Cook, Walker of Morgan, Wheeler, Witt, Wyatt, and Mr. Speaker—40.

In the negative,

Messrs. Aldrich, Atwater, Baker, Ball, Bartlett, Bentley, Connolly, Craig, Dawson, Dubois, Dunbar, Dunn, Edwards,

Elkin, Green of Clay, Green of St. Clair, Hardin, Hogan, Hunt, Lagow, Leary, Logan, Lyons, McCormick, Moore of McLean, Moore of St. Clair, Murphy of Perry, Murphy of Vermilion, Naper, Oneille, Rawalt, Scarborough, Shields, Smith of Wabash, Stuart, Stuntz, Voris, Watkins, Webb, Williams, and Wilson—41.

The question was put, "Shall the main question be now put?" and

Decided in the affirmative.

On the question "Shall said bill pass as amended?"

It was decided in the affirmative, by yeas and nays, upon the call of Messrs. Leary and Richardson, as follows, to wit:

Messrs. Aldrich, Atwater, Ball, Bartlett, Bentley, Carpenter, Copeland, Connolly, Craig, Cullom, Davidson, Dawson, Dougherty, Dubois, Dunbar, Dunn, Edmonston, Edwards, Elkin, Green of Clay, Green of St. Clair, Hardin, Hogan, Huey, Hunt, Lagow, Leary, Logan, Lyons, McCormick, Moore of McLean, Moore of St. Clair, Murphy of Perry, Murphy of Vermilion, Naper, Oneille, Rawalt, Scarborough, Shields, Smith of Wabash, Somerville, Stuart, Stuntz, Turney, Voris, Walker of Cook, Walker of Morgan, Watkins, Webb, Williams, Wilson, Witt, and Wood—53.

In the negative,

Messrs. Barnett, Cloud, Courtright, Crain, Davis, Diarman, Dolens, English, Ewing, Green of Greene, Hankins, Happy, Harris, Hinshaw, Lincoln, Madden, Marrs, Minor, Morton, Odam, Pace, Paullen, Richardson, Smith of Madison, Thompson, Turley, Wheeler, Whitten, Wyatt, and Mr. Speaker—30.

*Ordered*, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence in the amendments of the House to the same.

Message from the Senate by Mr. Prentiss, Secretary.

MR. SPEAKER:

The Senate have concurred with the House of Representatives in the passage of bills of the following titles, viz:

"An act to amend an act to provide for the election of Probate Justices of the Peace;"

"An act to locate a state road from Salem, in Marion county, to Charleston in Coles county;"

"An act to encourage education in township five south range six east of the third principal meridian;"

"An act to incorporate the Centreville Steam Mill Company."

And he withdrew.

The bill for

"An act to locate a state road from Canton to Knoxville, and for other purposes,"

Was read the third time and passed.

*Ordered*, That the title be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence in the passage of the same.

The bill from the Senate, entitled

"An act to incorporate the town of Ottawa, and for other purposes,"

Was read; and

*Ordered* to a second reading.

On motion of Mr. Leary,

The rule of the House was dispensed with, and

Said bill was read the second and third times by its title, and passed.

*Ordered*, That the title be as aforesaid, that the Clerk inform the Senate of the passage thereof.

The amendments of the Senate to the bill from the House of Representatives, entitled

"An act to locate certain roads therein named;"

Were read and concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

The bill from the Senate, entitled

"An act concerning practice in courts of law," approved 29th January, 1827,

Was read; and

On motion,

The rule of the House was dispensed with, and

Said bill was read the second and third times by its title, and passed.

*Ordered*, That the title be as aforesaid; that the clerk inform the Senate of the passage of said bill.

The bill from the Senate, entitled,

"An act to attach the county of Livingston to the seventh Judicial Circuit,"

Was read the first time; and

On motion of Mr. Leary,

Laid on the table.

The amendments of the Senate to the bills from the House of Representatives, entitled

"An act to incorporate the Caledonia Rail Road Company;" and

"An act in relation to the Municipal Court of Chicago, and for other purposes;"

Were read and concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

The amendments of the Senate to the bill, entitled  
 "An act for publishing and distributing the reports of the  
 Supreme Court of this State,"

Were read.

The question was taken on concurring with the Senate  
 in their amendment to said bill, and

Decided in the negative.

*Ordered*, That the Clerk inform the Senate thereof.

The bills from the Senate, entitled

"An act to increase the compensation of county commis-  
 sioners;" and

"An act for the relief of Nathaniel Pope, and others;"

"An act in relation to certain roads therein named;"

"An act to alter the town plat of Geneva, and for other pur-  
 poses;"

Were severally read, and

*Ordered* to a second reading.

On motion,

The rule of the House was dispensed with, and

Said bills were read the second and third times by their  
 titles, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate by Mr. Prentiss, their Secretary:  
 Mr. Speaker:

The Senate have concurred with the House of Representa-  
 tives in their amendments to the bills from the Senate of  
 the following titles, viz:

"An act to suspend for a limited time certain laws in rela-  
 tion to the banks of this State;" and

"An act for the relief of the purchasers of Canal Lands and  
 lots."

The Council of Revision have returned to the Senate, the  
 bill entitled

"An act to incorporate the City of Alton;"

With the objections to said bill becoming a law, and the  
 Senate have so amended said bill as to obviate the said objec-  
 tions of the Council, and have repassed the bill as amended,  
 and ask the concurrence of the House of Representatives  
 therein.

And then he withdrew.

And another message from the Senate, by Mr. Prentiss their  
 Secretary:

Mr. Speaker:

The Senate have concurred with the House of Representatives in the passage of the bill entitled

"An act to incorporate the town of Caledonia."

Then he withdrew.

The preamble and resolutions from the Senate proposing to memorialize the Congress of the United States upon the subject of Internal Improvements,

Was read; and

On motion of Mr. Hardin,

Said memorial was amended by striking out all after the word "plan" to the word "they," and inserting the word "and."

On motion of Mr. Webb,

Said memorial was further amended by striking out the word "that" and inserting the word "the," before the word government, and after the word "government," by inserting the words "of the United States."

The memorial as amended, was concurred in.

*Ordered*, That the Clerk inform the Senate thereof, and ask their concurrence in the amendments of the House to the same.

The bill from the Senate, entitled

"An act to amend the act, entitled an act declaring what shall be evidence in certain cases, approved the 10th January 1827."

Was twice read, and

On the question shall said bill be ordered to a third reading, It was decided in the negative.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Madden, from the committee on enrolled bills, reported as correctly enrolled, bills of the following titles, viz:

"An act in relation to the Penitentiary;"

"An act to amend an act to provide for the election of Probate Justices of the Peace;"

"An act to amend an act to incorporate the Chicago and Fox River Turnpike Road Company, approved March 1st, 1837;"

"An act to locate a State Road from Salem, in Marion county, to Charlestown, in Coles county;"

"An act to incorporate the Centreville Steam Mill Company;"

"An act to encourage education in township five south, range six east, of the third principal meridian;"



"An act to incorporate the Caledonia Rail Road Company;"

"An act to incorporate the town of Ottawa, and for other purposes;"

"An act to alter the town plat of Geneva, and for other purposes;"

Mr. Madden from the same committee, afterwards reported that the bills aforesaid, had been this day laid before the Council of Revision.

A message from the Senate, by Mr. Prentiss their Secretary.

Mr. Speaker:

The Senate have concurred with the House of Representatives in the passage of the bill, entitled

"An act declaring a certain road in McLean county, a state road, and for other purposes;"

As amended by them.

They amend the title of said bill by striking out the words "and for other purposes;"

And ask the concurrence of the House of Representatives in their amendment to said bill, and the title thereof.

They amend the bill, by striking out all after the first section.

They have refused to read a third time the bill from the House of Representatives, entitled

"An act to incorporate the Apple Creek Navigation Company."

He then withdrew.

The amendments of the Senate to the bills from the House of Representatives, entitled

"An act to amend an act, entitled an act to incorporate the town of Carlinville," approved March 4, 1837; and

"An act concerning a state road in Edwards county,"

Were read and concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

The amendments of the Senate to the bill from the House of Representatives, entitled

"An act in relation to the county of Cass,"

Were read.

Mr. Atwater called for a division of the question on the amendments of the Senate.

The question was then taken on so much of the amendment as related to the county of Cass,

And agreed to.

The question was then taken on so much of the amendment as had reference to the county of Bureau;

Which was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

The bill from the Senate, entitled

"An act to locate a State road from Vandalia to Hillsborough,"

Was read, and

On motion,

The rule was dispensed with, and said bill was read a second and third time by its title.

On motion of Mr. Dougherty,

Said bill was amended by adding an additional section providing for the appointment of Commissioners to review and relocate so much of the State road leading from Jonesborough to Willard's Ferry, as lies between Jonesborough and the western boundary of the farm land of Henry Cruse, in said county.

Said bill was passed as amended.

*Ordered*, That the title be as aforesaid, and that the Clerk inform the Senate of the passage of said bill, and ask their concurrence in the amendments of the House to the same.

The amendments of the Senate to the bill from the House, entitled

"An act to legalize certain terms of the Circuit Court, in the Seventh Judicial Circuit,"

Were read, and

On the question, "will the House concur in said amendments,"

It was decided in the negative.

*Ordered*, That the clerk inform the Senate thereof.

The amendments of the Senate to the bills from the House of Representatives, entitled

"An act concerning the Public Revenue;" and

"An act to incorporate the Alton Ferry Company;"

Were read and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

The amendments of the Senate to the bill from the House of Representatives, entitled

"An act changing a certain State road,"

Were read, and

Mr. Hogan moved to amend the amendments of the Senate,

by adding the following: 'That so much of the State road leading from Vandalia to St. Louis, as lies between Ben Johnson's and Mr. Murray's, in Bond county, shall run on the township line, between township four and five of range four, west, until it pass said Murray's farm, and then diverge south southwest, so as to intersect the old State road;

When

On motion,

The House adjoured till 1 o'clock, P. M.

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1 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Hardin,

The bill from the Senate, entitled

"An act to incorporate the city of Alton,"

With the objections of the Council of Revision,

Was taken up for consideration.

The amendments of the Senate to obviate said objections,

Were read and concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

The question pending when the House adjourned, being on Mr. Hogan's amendment to the amendment of the Senate to the bill for

"An act changing a certain State road,"

Again coming up for consideration,

It was not agreed to.

The amendments of the Senate were then concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

The bill from the Senate, entitled

"An act for the purposes therein named,"

Was read the first time, and

On motion of Mr. English,

Said bill was laid on the table.

The bill from the Senate, entitled

"An act explanatory of the act to amend the acts in relation to Common Schools, approved March 4th, 1837,"

Was read the first time, and  
On motion the rules of the House were dispensed with, and  
said bill was

Read a second and third time by its title and passed.

*Ordered*, That the title be as aforesaid, and that the Clerk  
inform the Senate thereof, and ask their concurrence therein.

The bill from the Senate, entitled

“An act supplementary to an act to increase the capital stock  
of certain Banks, and to furnish means to pay the interest on a  
loan authorized by an act, entitled an act to establish and main-  
tain a general system of Internal Improvements, approved,  
March 4th, 1837,

Was read the first time, and

*Ordered* to a second reading.

On motion the rule of the House was dispensed with, and  
said bill was read the second and third time, and passed by  
yeas and nays, upon the call of Messrs. Smith of Wabash, and  
Paullen, as follows, to wit:

IN THE AFFIRMATIVE—

Messrs. Aldrich, Ball, Bartlett, Bentley, Connolly, Craig,  
Crain, Dawson, Dubois, Dunbar, Dunn, Edmonston, Edwards,  
Elkin, Ewing, Hunt, Lagow, Leary, Lyons, McCormick, Moore  
of St. Clair, Murphy of Vermilion, Naper, Oneille, Rawalt,  
Reddick, Smith of Madison, Smith of Wabash, Somerville,  
Stuntz, Thompson, Turley, Turney, Walker of Cook, Watkins,  
Wilson.—36.

IN THE NEGATIVE—

Messrs. Carpenter, Cloud, Copeland, Courtright, Davis, Diar-  
man, Dollens, English, Green of Green, Hankins, Hardin,  
Harris, Hinshaw, Madden, Morton, Odam, Pace, Paullen,  
Richardson, Stuart, Voris, Williams, Witt, and Mr. Speaker.  
—24.

*Ordered*, That the title be as aforesaid, and that the Clerk  
inform the Senate thereof.

The bill from the Senate, entitled

‘An act for the purposes therein mentioned,’

Was read the first time, and

*Ordered* to a second reading.

On motion the rule of the House was dispensed with, and  
said bill was read the second and third time by its title and passed.

*Ordered*, That the title be as aforesaid, and that the Clerk  
inform the Senate thereof.

Mr. Madden, from the committee on enrolled bills reported  
as correctly enrolled, bills of the following titles, viz:

"An act in relation to the Municipal Court of Chicago, and for other purposes;"

"An act to incorporate the town of Coledonia;"

"An act to locate certain roads therein named;"

"An act to prevent disasters on Steam Boats navigating the waters within the jurisdiction of Illinois;"

"An act to amend an act to incorporate the town of Carlinville, approved March 4th, 1837;"

"An act to incorporate the town of Jerseyville;"

"An act for the relief of purchasers of Canal Lands and Lots;"

"An act concerning a State Road in Edgar county," and

"An act concerning Public Roads."

Mr. Madden, from the same committee, afterwards reported that they had this day laid before the council of revision bills of the above titles.

The bill from the Senate, entitled

"An act concerning the Canal Lands,"

Was read the first time, and

On motion of Mr. Leary,

The rule of the House was dispensed with, and said bill was read the second time by its title.

Mr. Leary, moved to amend said bill by inserting after the enacting clause the following, viz:

The fourth and sixth provisions required to be incorporated in the bonds required to be given by a certain act, entitled

"An act to protect the Canal Lands against transpassers," approved March 4th, 1837, to be and they are hereby repealed.

Which was not agreed to; when

On motion of Mr. Leary,

Said bill was laid on the table.

The amendments of the Senate, to the bill from the House of Representatives, entitled

"An act concerning Calvin Slough,"

Was read and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

The bill from the Senate, entitled

"An act to provide for the sale of certain canal lands, and for other purposes,"

Was read the first time, and

*Ordered* to a second reading; and

On motion,

The rule of the House was dispensed with, and said bill was read a second time by its title.

Mr. Smith of Wabash, moved to amend said bill by striking out the tenth section;

Which was not agreed to.

The yeas and nays being called for by Messrs. Dubois and Pace, on this question,

Those voting in the affirmative, are,

Messrs. Ball, Barnett, Carpenter, Cloud, Copeland, Crain, Davidson, Diarman, Dollens, Dubois, Edmonston, Hankins, Harris, Hinshaw, Huey, Hunt, Lagow, Marrs, Minor, Morton, Odam, Oneille, Pace, Paullen, Reddick, Smith of Madison, Smith of Wabash, Somerville, Turney, Voris, Webb, Wood, and Wyatt—33.

Those voting in the negative, are,

Messrs. Aldrich, Atwater, Baker, Bartlett, Bentley, Courtright, Craig, Cullom, Davis, Dawson, Dougherty, Dunbar, Dunn, Edwards, Elkin, English, Ewing, Green of Clay, Green of Greene, Hardin, Hogan, Leary, Lincoln, Logan, McCormick, McMurtry, Madden, Moore of McLean, Moore of St. Clair, Naper, Rawalt, Scarborough, Shields, Stuart, Stuntz, Walker of Cook, Watkins, Williams, Wilson, and Witt—40.

*Ordered* to a third reading.

On motion of Mr. Naper,

The rule of the House was dispensed with, and said bill was now read the third time by its title, and passed.

*Ordered*, That the title of the bill be as aforesaid, and that the clerk inform the Senate thereof.

A message from the Senate, by Mr. Prentiss, their Secretary:

Mr. SPEAKER,—

The Senate have concurred with the House of Representatives in the passage of the bill, entitled

“An act supplementary to an act making appropriations for the years 1837 and 1838,”

As amended by them,

And ask the concurrence of the House of Representatives in their amendments to said bill.

They have concurred with the House of Representatives in their amendments to the bill from the Senate, entitled

“An act to change the terms of the courts in the third judicial circuit,”

As amended by them,

And ask the concurrence of the House of Representatives in their amendments to the amendments of the House of Representatives to said bill.

They have adopted the following resolution, viz:

*Resolved by the Senate,* (the House of Representatives concurring herein,) That seventy-five cents per thousand ems for composition, and seventy cents per token for press work, be allowed to the public printer for such work as may be executed by him for the use of the Legislature, in lieu of the sum of sixty-two and a half cents as now fixed, which former rate was actually established by a vote of both houses at the last session; but which, from misapprehension of the present law, the public printer has not received.

In the adoption of which resolution they ask the concurrence of the House of Representatives.

And he withdrew.

A message from the Council of Revision, by Mr. Owings, their Secretary:

MR. SPEAKER,—

The bills entitled as follows:

“An act to locate a State road from Alton to Elias Gwinn’s;”

“An act to relocate a part of the State road leading from William Crow’s, in Morgan county, to Musick’s bridge, in Sangamon county;”

“An act for the relief of James H. Weisner;”

“An act authorizing the clerks of the county commissioners’ court to list certain lands;”

“An act to change the names of Thomas Jefferson Sanders and Francis Hood;”

“An act to amend an act concerning process, approved February 25th, 1837, and for other purposes;”

“An act to change a part of a State road therein named;”

“An act to locate a State road from East Nelson, in Shelby, to Le Roy, in McLean county;”

“An act legalizing the incorporation of the town of Beards-town;”

Have been approved by the Council of Revision.

And he withdrew.

The bill from the Senate, entitled

“An act to prohibit the circulation of bank notes of a less denomination than five dollars,”

Was read the first time, and

*Ordered* to a second reading.

On motion,

The rule of the House was dispensed with, and

Said bill was read a second and third time, by its title, and passed.

*Ordered*, That the title be as aforesaid, and that the clerk inform the Senate thereof.

The amendments of the Senateto the bill from the House of Representatives, entitled

“An act supplementary to an act making appropriations for the years 1837 and 1838,” were read.

On motion of Mr. Mr. Dawson,

The said amendments were amended by adding thereto the following, viz:

WHEREAS, The Auditor of Public Accounts has refused to issue his warrant in favor of William Walters, public printer, for the sum of \$600, in consequence of his failing to have the Laws and Journals bound, of last session, according to law:—THEREFORE,

*Be it enacted*, That the Secretary of State, Auditor, and Treasurer, be and they are hereby empowered to investigate the claim of said Walters, and should they be satisfied that said claim or any part thereof, is just, the same shall be allowed; and the Auditor, is hereby authorized to issue his warrant on the Treasury, for the amount so allowed.

Mr. Williams, moved further to amend the amendment of the Senate, by inserting the following, viz:

*Be it further enacted*, That the annual salary of fifty dollars heretofore allowed to the clerk of the Supreme Court in lieu of fees due by the State, be and the same is hereby revised and continued from the date of the last payment.

Mr. Voris, moved further to amend said amendment by adding the following, viz:

“That J. M. Duncan be allowed the sum of fifteen dollars for plank furnished for the state house.”

Which was not agreed to.

The amendments of the Senate to said bill were then concurred in as amended by the House of Representatives.

*Ordered*, That the Clerk inform the Senate thereof, and ask their concurrence in the amendments of the House of Representatives to the amendments of the Senate to the same.

A Message from the Senate, by Mr. Prentiss, their Secretary:

MR. SPEAKER:

The Senate have concurred with the House of Representatives in their amendments to the bill, from the Senate of the following titles, viz:

“An act to locate a State road from Petersburg, in Sangamon county, to McComb, in McDonough county;”



"An act relative to the duties of county Treasurers and Sheriffs;"

"An act to locate certain state roads therein named;"

"An act for a state road from Bowling Green, in Fayette county, via Ewington, in Effingham county, to Newton, in Jasper county, and for other purposes;"

"An act appropriating the residue of the Vermilion saline lands to the counties of Iroquois and Vermilion, for the purpose of building a bridge across the Iroquois and Vermilion rivers;"

"An act to locate a state road from Shelbyville, Shelby county."

They also concur in the amendments of the House of Representatives to the title of the last mentioned bill.

And he withdrew.

The amendments of the Senate to the amendments of the House to the bill from the Senate, entitled

"An act regulating the terms of holding the Courts in the first and third Judicial Circuits,"

Were severally read and concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

The resolution from the Senate in relation to an allowance of 75 cents per 1000 ems for composition, and 70 cents per token for press work, to the Public Printer, &c.

Was read and concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Prentiss, their Secretary:

**MR. SPEAKER:**

I am directed to inform the House of Representatives, that the Senate do adhere to their amendments to the bill from the House of Representatives, entitled

"An act for publishing and distributing the reports of the Supreme Court of this State."

Also, that the Senate have concurred with the House of Representatives in their amendments to the memorial and resolutions in relation to Internal Improvements."

Also, that the Senate have concurred with the House of Representatives in the passage of bills of the following titles, viz:

"An act to locate a state road from Canton to Knoxville, and for other purposes;"

"An act for a state road from Bowling Green, in Fayette county, via Ewington in Effingham county, to Newton in Jasper county, and for other purposes."

And he withdrew.

The amendments of the Senate to the bill from the House of Representatives, entitled

"An act declaring a certain road in McLean county, a State Road, and for other purposes therein mentioned,"

Were read, and concurred in.

The amendments of the Senate to the title of said bill were also concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Ewing,

The bill from the Senate, entitled

"An act for the benefit of Vesty Adaline Martin," heretofore laid on the table,

Was taken up for consideration, and

*Ordered* to a third reading.

On motion the rule of the House was dispensed with, and said bill was read the third time by its title and passed.

*Ordered*, That the title be as aforesaid, and that the Clerk inform the Senate thereof.

Mr. Moore, from the Committee on Finance, to which the bills entitled

"An act to repeal an act concerning the Surplus Revenue,"

Reported the same back without amendment, and

On the question shall said bill be engrossed for a third reading,

It was decided in the negative.

Mr. Hogan moved, that the House recede from their vote of nonconcurrence in the amendments of the Senate to the bill from the House of Representatives, entitled

"An act for publishing and distributing the Reports of the Supreme Court of this State;

Which was not agreed to.

On motion of Mr. Dougherty, a committee of conference were appointed on the part of the House on the disagreeing votes of the two Houses on said amendments to said bill.

*Ordered*, That Messrs. Dougherty, Paullen, and Wyatt, be that committee, and that the clerk inform the Senate thereof, and ask the appointment of a similar committee on their part.

On motion of Mr. Leary,

*Resolved*, By the General Assembly, that three thousand copies of the Laws of the present session of the General Assembly, and one thousand copies of the Journals of each House shall be printed by the State Printer, and he is hereby required to print the same.

*Ordered*, That the clerk inform the Senate thereof, and ask their concurrence in the adoption thereof.

Mr. Pace, from the select committee to which was referred the bill from the Senate, entitled

"An act to relocate a State Road from Shelbyville to Springfield,"

Reported the same back without amendment, and

*Ordered* to a third reading.

On motion of Mr. Pace,

The rule of the House was dispensed with, and said bill was read the third time by its title and passed.

*Ordered*, That the title of said bill be as aforesaid, and that the clerk inform the Senate thereof.

Mr. Dougherty, from the Committee on the Judiciary, to which had been referred a bill, entitled

"An act to repeal a certain act therein named,"

Reported the same back without amendment.

When on motion of Mr. Richardson, said bill was laid on the table till the 4th day of July.

On motion of Mr. Webb,

The bill from the Senate, this day laid on the table, entitled "An act for the purposes therein named,"

Was taken up for consideration.

On motion of Mr. English,

Said bill was laid on the table until the 4th day of July next.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Prentiss, their Secretary.

MR. SPEAKER:

The Senate have concurred with the House of Representatives in the adoption of the resolution having for its object the election of a judge of the Municipal Court of the City of Alton, this day at 4 o'clock P. M., as amended by them.

They amend by striking out 4 and inserting 6 o'clock.

In which amendment they ask the concurrence of the House of Representatives.

They adhere to their amendments to the bill from the House of Representatives, entitled

"An act to legalize certain terms of the Circuit Courts in the 7th Judicial Circuit.

They have concurred with the House of Representatives in the passage of the bill entitled

"An act for the relief of Samuel A. Smallwood."

The Senate have concurred with the House of Representatives in their amendment to the amendments of the Senate to the bill from the House of Representatives, entitled

"An act supplementary to an act, making appropriations for the years 1837 and 1838.

And he withdrew.

The amendments of the Senate, to the resolution of the House of Representatives, having for its object the election of a Judge of the Municipal Court of the City of Alton,

Was read and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

On motion of Mr. Wyatt,

The House of Representatives receded from their vote of nonconcurrence on the amendments of the Senate to the bill from the House of Representatives, entitled

"An act to legalize certain terms of the Circuit Courts in the 7th Judicial Circuit.

*Ordered*, That the clerk inform the Senate thereof.

On motion of Mr. Ewing,

The resolutions introduced by him in relation to the Banks and currency, and some days since laid on the table, and ordered to be printed, were taken up for consideration.

Mr. Williams moved to amend said resolutions by adding the following, viz:

*Resolved*, That the moneys placed within the control of different State and local institutions, upon the removal of the deposits from the United States Bank, and the refusal to recharter the same, directly encouraged the multiplication of Banks, and greatly increased the issues of local Bank paper; and that, the Hon. Levi Woodbury, Secretary of the Treasury, in his report of 1834, supports these views in the following language, viz: "Those importations" (of specie) "also, united with the real prosperity of the country, and the large balance of over ten millions on deposit from the Treasury, enable the *State Banks*, and especially the *selected ones*, to discount in many places freely, and to support a sound paper currency in their own neighborhoods;" and that General Ewing, acting Governor, in his message of 1834, to the Legislature of Illinois, established the absolute necessity of this multiplication, in these strong terms, viz: "Permit me to present to the consideration of your honorable body, the subject of the establishment of a State Bank. Public judgment seems to have been pronounced against the recharter of the present Bank of the United States,

in such unequivocal language as to involve the establishment of such an institution in *an absolute necessity*. I, therefore, in my capacity of Senator, propose to offer for your consideration a project for a State Bank, which, under the administration of judicious management, will annually defray the expenses of the civil administration of the State Government—pay off the principal and interest of the State loan—reproduce the annihilated school fund, and bring it back into being—cover all contingent defalcations—create a fund for the ultimate payment of the loan necessary to be made upon which to found the Bank, as also the annual payment of the interest thereof; and in addition to all these important desiderata, afford to our country, at this time almost wholly destitute of a monetary medium, a safe and approvable currency.”

*Resolved*, That the Government of the United States expressly advocated the removal of the deposits, (at the time when said removal was made) to the end that a circulating medium, to be furnished by the State Banks, might be provided as a substitute for that then in existence; and that, the Hon. R. B. Taney, Secretary of the Treasury, in his report of 1833, supports this proposition, as follows: “It is evident that a state of things so much to be deprecated,” (as the expiration of the charter of the U. States Bank, without a circulating medium being substituted in lieu of its notes,) “can only be avoided by timely preparation; and the continuance of the deposits can only be justified by the determination to renew the charter. The State Banks can, I have no doubt, furnish a general circulating medium, quite as uniform in value as that which has been afforded by the Bank of the United States. Probably more so. It is essential that the change should be gradual, and sufficient time should be allowed to suffer it to make its way by the ordinary operations of commerce, without requiring a hasty and violent effort;” and that the President, in his message of 1833, approved these views of Mr. Taney, in the following language: “Since the last adjournment of Congress, the Secretary of the Treasury has directed the money of the United States to be deposited in certain State Banks, assigned by him, and he will immediately lay before you his reasons for this direction. I concur with him entirely in the view he has taken of the subject.”

*Resolved*, That the State Banks, at the instance of the Secretary of the Treasury, did greatly increase their issues, and did afford especial accommodations to merchants engaged in fo-

reign trade; and that this proposition is sustained by the direction given by the Secretary of the Treasury (in his letter of September 1, 1833, to the President of the Girard Bank, Philadelphia,) in these words, viz: "The deposits of the public money will enable you to afford increased facilities to commerce, and to extend your accommodations to individuals. And as the duties which are payable to the Government, arise from the business and enterprise of the merchants engaged in foreign trade, it is but reasonable that they should be preferred, in the additional accommodation which the public deposits will enable your institution to give, whenever it can be done without injustice to the claims of other classes of the community."

*Resolved*, That this multiplication of State Banks, added to the liberal course which the deposite banks are directed to pursue toward other moneyed institutions, (see Mr. Taney's letter to the President of the Maine Bank, Portland, Me.) and this increased issue of paper, and this accommodation to all classes of community, and especially to merchants engaged in foreign trade, as by direction of the Secretary, has generated a spirit of speculation and overtrading, which is finding its consummation in general bankruptcy, and a suspension of specie payments.

*Resolved*, That the funds of the deposite and other local banks have been furnished in large sums for speculation in public lands, and that with these funds thousands of acres of the public domain have been secured to overgrown capitalists and monopolizing land companies, to the great injury of the general interests of the new States, and to the prejudice of the actual settlers; and that the correctness hereof is vouched by the President of the United States, in his message of 1836, in this language, viz: "From the returns made by the various Registers and Receivers in the early part of last summer, it was perceived that the receipts arising from the sales of the public lands, were increasing to an unprecedented amount. In effect, however, these receipts amounted to nothing more than credits in bank. The banks lent out their notes to *speculators*; they were paid to the Receivers and immediately returned to the banks, to be lent out again and again, being mere instruments to *transfer* to *speculators* the *most valuable* public lands, and pay the Government by a credit on the books of the bank. Those credits on the books of some of the western banks, usually called deposits, were

already greatly beyond their immediate means of payment, and were rapidly increasing. Indeed each speculation furnished means for another; for no sooner had one individual paid in their notes, than they were immediately lent to another for a like purpose, and the banks were extending their business and their issues so largely, as to alarm considerate men, and render it doubtful whether these bank credits, if permitted to accumulate, would ultimately be of the least value to the Government. The spirit of expansion and speculation was not confined to the deposit banks, but pervaded the *whole multitude* of banks throughout the Union, and was giving rise to new institutions to aggravate the evil."

*Resolved*, That we are entirely satisfied, that the experiment set on foot by the government, of using local banks as its fiscal agents, has entirely failed and should be abandoned; and that if the President, in his message of 1836, when he says, that the deposit "banks were extending their issues so largely as to alarm considerate men, and render it doubtful whether these bank credits, if permitted to accumulate, would ultimately be of the least value to the government," be correct, that then there is reason for believing that the treasury of the United States has become bankrupt by placing its funds in local banks, which banks have turned those funds over to merciless land speculators, and are now protesting the drafts of that government which warmed them into such active operation.

*Resolved*, That when the Secretary of the Treasury, in 1836, proclaimed that "the prospect on the subject of the currency" (alluding to local paper currency) "is therefore on the whole becoming more satisfactory, even without further legislation," he was grossly ignorant of our monetary condition; and that the banks, the "selected ones," have not furnished the country "with a better and more solvent currency," although aided by the public deposits and the reception of their notes in payment of government dues; but on the contrary, their paper is a depreciated, non-specie-paying-currency, and a fraud and an imposition upon the people, and especially upon the laboring people.

*Resolved*, That we consider the suspension of specie payments as a great evil which can only be excused by urgent necessity.

*Resolved further*, That such necessity resulting from the causes aforesaid and hastened by the Treasury Circular re-

quiring payments for public lands to be made in specie, does now exist.

Mr. Dougherty moved to amend the proposed amendments, by striking out all the proposed, as well as the original resolutions, after the word "Resolved," and insert the following, viz:

"That to preserve the elective franchise untainted from the contaminating influence of overgrown moneyed institutions, and to aid the commercial operations of these United States, the establishing and maintaining of State Banks, with proper restrictions, is the best and only means."

Mr. Richardson called for a division of the question.

The question was then taken upon striking out, and

It was decided in the negative.

Mr. Carpenter moved to amend the proposed amendment, by striking out all after the word "Resolved," and insert the following, viz:

*Resolved*, That this House disavows the truth of the charge of Governor Duncan in his late message that the present calamity in the moneyed concerns of the county, is the result of the action of the General Government upon its currency.

*Resolved*, That Governor Duncan, in the declaration of his message that "there never was a sounder currency or a more healthy state of things in any Government in the world, than was furnished and produced by the United States Bank," is contrary to the assertion of the patriot and statesman Gen. Jackson, who has never betrayed his friends or deserted his principles, that "the Bank of the U. S. has failed in accomplishing the great object for which it was created, that of establishing a *sound and uniform* currency."

*Resolved*, That we verily believe a sound and uniform currency cannot and never will be established until the country return to the constitutional currency, gold and silver, and limits the use of bank bills to the business of exchange.

*Resolved*, That while we deny the many charges contained in Governor Duncan's message, against the late and present Administration, we most cordially approve of both.

Mr. Moore of St. Clair called for a division of the question.

The question was then taken upon striking out, and

Decided in the affirmative, by yeas and nays, upon the call of Messrs. Lincoln and English, as follow, viz:

In the affirmative,

Messrs. Carpenter, Cloud, Copeland, Courtright, Crain, Davis, Diarmian, Dollens, Dougherty, Edmonston, English, Ewing, Green



of Clay, Green of Greene, Hankins, Happy, Harris, Hinshaw, Huey, Lagow, Leary, Marrs, Morton, Odam, Pace, Paullen, Richardson, Scarborough, Shields, Smith of Madison, Turley, Turney, Walker of Cook, Witt, Wyatt, and Mr. Speaker—37.

In the negative,

Messrs. Aldrich, Baker, Ball, Barnett, Bartlett, Connolly, Craig, Cullom, Dawson, Dubois, Dunbar, Hardin, Hogan, Hunt, Lincoln, Lyons, McCormick, Moore of McLean, Moore of St. Clair, Murphy of Vermilion, Oneille, Rawalt, Stuart, Stuntz, Webb, Williams, and Wilson—27.

Mr. Dougherty moved to lay said resolutions and proposed amendments on the table;

Which was not agreed to.

Mr. Richardson moved the previous question.

The question recurring upon inserting the amendments proposed by Mr. Carpenter.

Mr. Webb called for a division of the question, so as to take the vote on the 1st, 2d, and 4th resolutions separately.

The question was then taken on inserting the 1st, 2d, and 4th resolutions, and

Decided in the affirmative, by yeas and nays, as follow, to wit:

In the affirmative,

Messrs. Barnett, Carpenter, Cloud, Copeland, Connolly, Courtright, Crain, Davis, Diarman, Dollens, Dougherty, Edmonston, English, Ewing, Green of Clay, Green of Greene, Hankins, Happy, Harris, Hinshaw, Huey, Lagow, Leary, Logan, Madden, Marrs, Moore of McLean, Morton, Odam, Pace, Paullen, Richardson, Scarborough, Shields, Smith of Madison, Turley, Turney, Walker of Cook, Wheeler, Witt, Wood, Wyatt, and Mr. Speaker—43.

In the negative,

Messrs. Aldrich, Baker, Ball, Bartlett, Craig, Dawson, Dubois, Dunbar, Hardin, Hogan, Hunt, Lincoln, Lyons, McCormick, Moore of St. Clair, Murphy of Vermilion, Oneille, Rawalt, Stuart, Stuntz, Webb, Williams, and Wilson—23.

The question was then taken upon inserting the 3d resolution, and decided in the affirmative, by yeas and nays, as follows:

In the affirmative,

Messrs. Ball, Barnett, Carpenter, Cloud, Copeland, Connolly, Courtright, Crain, Davidson, Davis, Diarman, Dollens, Dougherty, Edmonston, English, Ewing, Green of Clay, Green of Green, Hankins, Happy, Harris, Hinshaw, Huey,

Lagow, Leary, Logan, Madden, Marrs, Moore of McLean, Morton, Odam, Pace, Paullen, Rawalt, Richardson, Scarborough, Shields, Smith of Madison, Turley, Turney, Walker of Cook, Wheeler, Whitten, Witt, Wood, Wyatt, and Mr. Speaker—47.

In the negative,

Messrs. Aldrich, Baker, Bartlett, Craig, Cullom, Dawson, Dubois, Dunbar, Dunn, Elkin, Hardin, Hogan, Hunt, Lincoln, Lyons, McCormick, Moore of St. Clair, Murphy of Vermilion, Oneille, Stuart, Stuntz, Webb, Williams, and Wilson—23.

The question was then put, Shall the main question be now put? and

Decided in the affirmative.

The question was then taken upon the adoption of the resolutions as amended, and decided in the affirmative, by yeas and nays, upon the call of Messrs. Ewing and Richardson, as follows, viz:

In the affirmative,

Messrs. Barnett, Carpenter, Cloud, Copeland, Connolly, Courtright, Crain, Davis, Diarman, Dollens, Dougherty, Edmonston, English, Ewing, Green of Green, Hankins, Happy, Harris, Hinshaw, Huey, Lagow, Leary, Logan, Madden, Marrs, Moore of McLean, Morton, Odam, Pace, Paullen, Richardson, Scarborough, Shields, Smith of Madison, Turley, Turney, Walker of Cook, Wheeler, Whitten, Witt, Wood, Wyatt, and Mr. Speaker.—42.

In the negative,

Messrs. Aldrich, Baker, Ball, Bartlett, Craig, Cullom, Dawson, Dunbar, Dunn, Elkin, Hogan, Hunt, Lincoln, Lyons, McCormick, Moore of St. Clair, Murphy of Vermilion, Oneille, Rawalt, Stuart, Stuntz, Webb, Williams, Wilson.—24.

Mr. Madden, from the committee on enrolled bills, reported as correctly enrolled, bills of the following titles, to wit:

“An act to relocate the county seat of Calhoun county;”

“An act for the benefit of the person therein named;”

“An act concerning Calvin’s Slough;”

“An act to provide for the sale of certain Canal Lands, and for other purposes;”

“An act to incorporate the Alton Ferry Company;”

“An act to locate certain State Roads therein named;”

“An act to relative to certain Public Roads therein named;”

“An act further supplemental to an act to establish and maintain a general system of Internal Improvements;”

"An act to increase the compensation of county Commissioners;"

"An act to prohibit the circulation of bank notes of a less denomination than five dollars;"

"An act to suspend for a limited time certain laws in relation to the banks in this state;"

"An act for the relief of Nathaniel Pope and others;"

"An act to increase the capital stock of certain companies."

Mr. Madden, from the same committee, also reported that they had this day laid before the Council of Revision bills of the above titles.

On motion

The House adjourned till 6 o'clock, P. M.

6 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Leary,

The vote heretofore taken on the adoption of the resolution proposed by him, in relation to the printing of the Laws and Journals of the present session of the General Assembly, was reconsidered.

Mr. Leary, then modified said resolution by requiring two thousand copies of the Journals of each House instead of 1,000.

The Resolution, as modified, was then adopted.

*Ordered*, That the Clerk inform the Senate thereof, and ask their concurrence in the adoption of said resolution.

On motion of Mr. Hogan, it was unanimously

*Resolved by the House of Representatives*, That the thanks of this House be given to the Hon. James Sample, for the able and dignified manner in which he has discharged the duties of Speaker of this House during the present session.

The Senate preceded by their Speaker, appeared in the Hall of the House of Representatives, in pursuance of a joint resolution, for the purpose of electing a Judge of the Municipal Court of the City of Alton.

Messrs. Browning of the Senate, and English of the House of Representatives, were appointed tellers; and

On the vote being counted, it appeared that  
 William Martin, had received 75 votes.  
 Scattering, 18 votes.

Mr. Martin, having received a majority of all the votes given, was declared by the Speaker of the House of Representatives, duly elected Judge of the Municipal Court for the City of Alton.

Mr. Madden, from the Committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, viz:

"An act for the relief of Samuel A. Smallwood;"

"An act to amend an act to incorporate the Chicago and Fox River Turnpike Road Company," approved March 1st, 1837;

"An act to locate certain roads therein named;"

"An act for a state road from Bowling Green, in Fayette county, via Ewington in Effingham county, to Newton in Jasper county, and for other purposes;"

"An act to locate a state road from Canton to Knoxville, and for other purposes;"

"An act legalizing the incorporation of the town of Beardstown;"

"An act declaring a certain road in McLean county, a state road;"

And that the said bills had this day been laid before the Council of Revision.

On motion,

The House adjourned till to-morrow morning 7 o'clock.

SATURDAY, JULY 22, 1837.

The House met pursuant to adjournment.

Mr. Smith of Wabash, from the Committee on Internal Improvements, to which was referred so much of the Governor's Message as relates to the repeal of the Internal Improvement act of the last session of the legislature, beg leave to present the following

## REPORT:

The committee impressed with a deep sense of the important relations which this subject sustains with the future destinies of the State, and of the high respect due to the source from whence the recommendation to repeal these deliberative acts of the Legislature has emanated, have bestowed upon it all that serious reflection which these considerations so obviously demand. The reasons urged by the Executive in favor of the repeal of the law in question, have been attentively and calmly examined by the committee; and they are constrained to say, that those reasons have failed to convince them of the propriety of the Legislature adopting the measure recommended.

The principal objection suggested by the Executive against the prosecution of the system of Internal Improvements, which was established during the last session of the General Assembly, is founded in an apprehension that it will exert an injurious influence upon the freedom of the elective franchise, and tend to subvert the liberties of the people. It is true, the present deranged condition of the monetary concerns of the country is alluded to in his message, in connection with the other more prominent objection; but your committee are unable to infer from that document, that any serious difficulties are apprehended in relation to obtaining the necessary funds to prosecute the improvements contemplated by the act, or that embarrassment to the financial concerns of the State will result from it.

In regard to the apprehended perilous effects of the system of Internal Improvements, upon the political rights and interest of the people, so much relied on in the message as an objection to its prosecution, with all due deference to the executive opinions, your committee are constrained to dissent from them. Assuming that the free and enlightened people of Illinois are capable of self-government; that they have sufficient intelligence to understand their rights, and possess that high degree of patriotism, which will always prompt them to resist, at the threshold, every attempt at encroachment upon those rights, your committee cannot but believe, that the apprehended evil effects of the system, upon the freedom of elections, are more imaginary than real. It has become a practice, as common as it is fallacious, to compare our own happy and enlightened country, with the republics of the dark ages, and to entertain forebodings of its fate, from a consider-

ation of their's. But it is time for these speculative opinions to give way to the force of truth; and a recurrence to the practical experiment of our own beloved government, for the last half century, cannot but tend to fix confidence in its stability, and at once dissipate the stale idea that our liberties and forms of government are liable to be sapped or uprooted by any officers deriving their authority from, and held responsible to the people themselves.

So far as the political evils, apprehended by the Executive, may arise from the prosecution of public works by State authority, the experience in other States of the Union, on the subject, will not justify the apprehensions entertained and expressed in the message. In New York, Pennsylvania, and Ohio, extensive systems of public works have been in a course of construction for several years; and experience there has sufficiently tested the fact that their management and control have not tended to confer any great degree of political popularity or influence upon the officers entrusted with their prosecution. On the contrary, such are the multitudinous exceptions and complaints, which are ever arising against the public agents, that few individuals, however zealous, competent, and upright, have been able to sustain themselves against their influence. When the public works are prosecuted under the authority and with the funds of the State, every citizen feels his direct interest in the faithful and competent discharge of the duties of the public agents concerned therein. Every operation is scrutinized by a vigilance that never sleeps, and every act is constantly submitted to the wholesome ordeal of public opinion. Patronage, to be sure, must necessarily be a constituent ingredient in any system of public works. Yet this patronage cannot universally be bestowed; but is generally limited to a minority of applicants for its favors. There is little reason to apprehend danger from its influence.

The internal improvement law of this State has been framed with a direct reference to concentrating responsibility, preventing abuse of power, and securing, in its full extent, the faithful discharge of the duties of the agents, appointed under its provision. The fiscal and executive branches of the system are placed in the hands of agents, appointed at short intervals, by the people, through their Representatives in the General Assembly. The works are all required to be executed by contract, under such provisions and restrictions,

as to preclude the possibility of fraud or favoritism being practiced, without immediate detection. The sub-agents, necessary to aid the officers in the discharge of their duties, are to be employed by those officers themselves; thus concentrating the responsibility, in a few individuals, chosen by, and held immediately responsible to, the representatives of the people. The works are extended over various sections of the State, and the people are at all times apprized of the conduct of the public agents in charge of the system, both from actual inspection, as well as from the reports which are required to be made at stated periods, under severe penalties for neglecting them.

In view, therefore, of the practical experience had upon the subject in other States; and of the checks and guards, against abuse of power, which are thrown around the system of internal improvements adopted in this State, your committee cannot concur in the opinion expressed by the Executive, in relation to the corrupting influence of the system, and its dangerous tendency against the rights and privileges of the people.

Your committee might proceed to expose what they believe to be the danger and inexpediency of prosecuting a system of improvements, coextensive with the wants of this State, on the plan recommended by the Executive. They however, will barely remark on this subject, that if the mighty energies of this great State, should be trammelled by a connection with incorporated companies, managed and controlled by the moneyed interests of other States and countries, it could not fail soon to become a source of unavailing regret to her citizens.

The bearing which the present deranged condition of the monetary concerns of the country may have upon the system, is worthy of the deliberate consideration of the Legislature, and has occupied the attention of your committee.

In the investigation of this subject, your committee cannot resist the conclusion, that if the State has it in her power to procure the necessary funds to prosecute the system, the present is a much more auspicious period for that purpose, than when the law was passed by the Legislature. So far from the present embarrassments in the commercial world forming an objection to the prosecution of improvements in Illinois, your committee entertain the opinion, that the most cogent arguments for the immediate and efficient prosecution of the works, is to be deduced from this circumstance.

The spirit of speculation which has pervaded the country,

must now yield to the sober pursuits of industry; and the legitimate means of wealth, so bountifully placed by nature within the reach of the citizens of Illinois, will induce a great accession to our present enterprising population. The physical means of executing our public works will be greatly increased, by the distresses of the community, and the suspension of improvements and of manufactures in other portions of the Union. And no one can doubt, that the public works can now be let and executed at a great deduction of cost below what could have been done before the present derangements in the moneyed concerns occurred. And moreover, the market which their prosecution will now afford for the agricultural products of the country, and the employment they will give to mechanical labor, cannot but tend to ward off from this favored State, the effect of the disasters so deeply felt and loudly complained of elsewhere.

That the funds can be loaned, on the most favorable terms to consummate this desirable end, there is now no reason to doubt. The general loss of private confidence, which has recently taken place, and which is so much to be deplored on other accounts, has nevertheless tended to advance the value of, and demand for public securities. Sales have recently been made of State Bonds, of other States, on the most encouraging terms, and it is believed, that the Bonds of Illinois will be sought after with avidity, as soon as put into the market.

Another consideration, which has had great weight with your committee, and which has induced them to believe that the executive recommendation, will not be responded to by a majority of the people, is derived from the fact, that no petitions have been presented, praying for a repeal of the Laws in question. The law was published immediately upon its passage, and distributed by the members of the Legislature over the State. The proceedings of the Board of Public Works have likewise been published in detail, and extensively circulated. The works have been placed under survey in various sections of the state, and the whole subject kept prominently before the people in various ways. It is therefore not from a want of information on the subject, that the people have failed to apply to the Legislature at the present session, for a repeal of these important act of their representatives. And the fair presumption would seem to be, that if the views of a majority of the people coincided with those of the executive, as expressed in the document under the consideration of your committee, the



tables of the Legislative Halls would have, ere now, been filled with petitions and other expressions of their sovereign will, in reference to this subject, so closely identified with the future destinies of the State.

In view, therefore, of the considerations briefly alluded to, and in the absence of petitions from the people to sustain the recommendations of the executive, with all due deference to the source from whence they have originated, and respect for the motives which induced them, your committee are constrained to dissent from them.

Mr. Madden, from the committee on enrolled bills, reported as correctly enrolled, bills of the following titles, to wit:

"An act appropriating the residue of the Vermilion Saline Lands, in the counties of Vermilion and Iroquois, for the purpose of building bridges across the Iroquois and Vermilion Rivers;"

"An act in relation to the duty of county treasurers and sheriffs;"

"An act to amend the act, entitled an act concerning practice in courts of law, approved 29th January, 1827;"

"An act to locate a State road from Petersburg, in Sangamon county, to McComb, in McDonough county, and for other purposes;"

"An act relative to certain roads in Fayette and Shelby counties."

Mr. Madden, from the same committee, also, reported that they had this day laid before the Council of Revision the aforesaid bills.

A message from the Council of Revision, by Mr. Owings, their Secretary.

Mr. SPEAKER:

The bills entitled as follows, to wit:

"An act to amend an act, entitled an act to incorporate the town of Carlinville," approved March 4, 1837;"

"An act concerning the public revenue;"

"An act concerning a state road in Edwards county;"

"An act to amend an act to provide for the election of Probate Justices of the Peace;"

"An act in relation to the Municipal Court of Chicago, and for other purposes;"

"An act to locate a state road from Salem, in Marion county, to Charleston, in Coles county;"

"An act to incorporate the Centreville Steam Mill Company;"

"An act to encourage education in township five south, range six east, of the third principal meridian;"

"An act to prevent disasters on Steam Boats navigating the waters within the jurisdiction of Illinois;"

"An act to locate certain roads therein named;"

"An act to incorporate the town of Caledonia;"

"An act to incorporate the Caledonia Rail Road Company;"

"An act to amend an act to incorporate the Chicago and Fox River Turnpike Road Company," approved March 1st, 1836;

"An act to increase the capital stock of certain companies;"

"An act in relation to the Penitentiary;"

"An act concerning Calvin's Slough;"

"An act to incorporate the Alton Ferry Company;"

"An act to locate a state road from Canton to Knoxville, and for other purposes;"

"An act for the relief of Samuel A. Smallwood;"

"An act for a state road from Bowling Green, in Fayette county, via Ewington in Effingham county, to Newton in Jasper county, and for other purposes;"

"An act to locate certain roads therein named;"

"An act changing a certain state road in Pike county;"

"An act declaring a certain road in McLean county, a state road;"

"An act legalizing the incorporation of the town of Beardstown;"

"An act in relation to the county of Cass;"

"An act supplementary to an act making appropriations for the year 1837 and 1838,"

Have been approved by the Council.

He then withdrew.

A message from the Senate, by Mr. Thomas, of the Senate:  
MR. SPEAKER:

I am directed to inform the House of Representatives, that the Senate have finished their legislative business, and are now ready to adjourn *sine die*.

On motion of Mr. English,

*Resolved*, That the House do now adjourn *sine die*.

Whereupon, the House adjourned *sine die*.

WILLIAM G. FLOOD,

*Clerk of the House of Representatives, Pro tempore.*

















